

T H E A M E R I C A N M U S E U M,

For D E C E M B E R, 1789.

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O R I G I N A L E S S A Y S.

To the Editor of the American Museum.

Sir,

IN your useful collection for August last, page 108, there is a sensible and decent refutation of a calumny exhibited against the Americans, seemingly by dr. Kippis, in his life of capt. Cooke, as reviewed in the gentleman's magazine for July 1788, viz. "while the French court generously issued or-

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ders to their cruizers, not to molest that navigator if they should meet with him in his return, the narrow-souled people of America did all in their power to obstruct the success of his expedition." The refuser acknowledges he has not seen dr. Kippis's book; and therefore will not on the credit of that magazine, venture to charge the dr. with the injustice of the aspersion.—This is fair and candid. But permit me to add, that though I do not well

know dr. Kippis, I have some acquaintance with mr. David Henry, the compiler of the gentleman's magazine, and am persuaded he would never have inserted in it, such an accusation, as from dr. Kippis's book, if it was really not to be found there. Upon this ground I would venture to call on the doctor for his proofs, of which I am persuaded he cannot produce a single one. On the contrary, as the refuter asserts, it is certain the Americans did what lay in their power to prevent any injury or interruption being given to the success of a voyage in which the good of mankind was concerned.—The following copy of a circular letter from their minister at the court of France, to all their cruisers, is one authentic proof of this; and more of the same kind might undoubtedly be given, if it were necessary.

To all captains and commanders of armed ships, acting by commission from the congress of the united states of America, now in war with Great Britain.

Gentlemen,

A Ship having been fitted out from England, before the commencement of this war, to make discoveries of new countries in unknown seas, under the conduct of that most celebrated navigator and discoverer, capt. Cooke—an undertaking truly laudable in itself, as the increase of geographical knowledge facilitates the communication between distant nations, in the exchange of useful products and manufactures, and the extension of arts, whereby the common enjoyments of human life are multiplied and augmented, and science of other kinds increased, to the benefit of mankind in general.—This is therefore most earnestly to recommend to every one of you, that in case the said ship, which is now expected to be soon in the European seas on her return, should happen to fall into your hands, you would not consider her as an enemy, nor suffer any plunder to be made of the effects contained in her, nor obstruct her immediate return to England, by detaining her or sending her into any other part of Europe or to America: but that you would treat the said captain Cooke and his people with all civility and kindness, afford-

ing them, as common friends to mankind, all the assistance in your power, which they may happen to stand in need of. In so doing, you will not only gratify the generosity of your own dispositions, but there is no doubt of your obtaining the approbation of the congress and your other American owners.

I have the honour to be, gentlemen,
Your most obedient, &c.

B. FRANKLIN,

Minister plenipotentiary from the congress of the united states to the court of France.

*At Passy, near Paris,
this 10th day of March, 1779.*

This generous proceeding was so well known in England, and the sentiments it manifested, so much approved by the government there, that when Cooke's voyage was printed, the admiralty sent to dr. Franklin a copy of the same in three quarto volumes, accompanied with the elegant collections of prints appertaining to it, and a very polite letter from lord Howe, signifying that the present was made with his majesty's express approbation; and the royal society having, in honour of that illustrious navigator, one of their members, struck some gold medals to be distributed among his friends and the friends of his voyage, one of those medals was also sent to doctor Franklin, by order of the society, together with a letter from their worthy president, sir Joseph Banks, expressing likewise that it was sent with the approbation of his majesty. These being acts of public bodies in England, I wonder much that they should never have come to the knowledge of doctor Kippis.

I am, &c.

Another American.



Essay on the formation of a religious society.

IT is with pleasure, I observe a spirit of enquiry into human knowledge so generally diffused throughout these new states. I doubt not but many new discoveries, useful to mankind, will be made: Every enlightened age and people improve on the former, and as we have the experience of the past, so we may hope to derive advantages unknown to those who

have gone before us.—At a time when societies are forming for promoting useful knowledge—the encouraging of our manufactures—and alleviating the miseries of human nature—I could wish to see an association of the religious part of society formed for the spreading abroad of the word of God.—That, which is the most important to mankind, certainly requires the most assiduous attention.—In forming a society of this nature, I am well aware, objections will be made from the various denominations of christians, each professing their particular tenets and modes of worship, but the more liberal will enter upon the enquiry without any distinction of either. Those whom the spirit of truth hath enlightened, (and to them only I apply myself,) view mankind, as the word of God declares them to be, in a lost estate, and that they ever would have so remained, had not God, in his infinite mercy, found One, in whom all mankind should be saved; that, opposed to this great salvation are many enemies;—and that a true knowledge of the word is life eternal; that if only a few should be prevailed upon by grace, to relinquish the world, for heaven, the charitable association will feel themselves thankful for being instruments in pointing such to Christ.—I would therefore suppose a society of religious formed, who should meet every week in a suitable place, and a president being chosen, they should, by prayer to God, beg his divine assistance. The revealed word of God, contained in the new and old testament, I would recommend for their meditation. If there is on earth one church of the people of God, who are preserved by the divine power, members thereof may meet, and, disclaiming all human distinctions, seriously join together, in devising the best plan of diffusing a knowledge of that word by which they are upheld, and endeavour to draw others into the way of truth, by pointing them to Christ. The great apostle of the gentiles tells one of the churches he had planted, that it is by the foolishness of preaching, they were saved. Are there no persons, to whom a serious consideration of religious truths will be acceptable? It may be said, the ministers of the gospel are

sufficient to instil the great points of religion, and that no means are wanting, where the spirit of grace leads to an enquiry. The daily prayer of all the ministers sent by God to preach salvation, is, that the labourers be increased, for “the harvest is plenteous, but the labourers are few.”—They would rejoice to see a society of laymen formed, whose essays, breathing the great doctrines they daily preach, should be diffused abroad in the world. If the weight and sacredness of a discussion of such points be objected to, all I can say is, that the gospel is in itself simple—it requires no uncommon learning—nor does truth depend upon a long train of reasoning.—The holy spirit is the teacher, and were an institution of this kind set on foot, it might meet with divine assistance. The great author of our salvation acquaints us, that “he that is not for him, is against him, and he that gathereth not, scattereth.”

The qualifications for admittance into such a society, I would recommend to be simply these:—When six persons who have, for three years last past, made the knowledge of the scriptures their daily search, accompanied with daily prayer for the truth, as it is contained in the word, shall have met together, and found an accordance in the means of grace, I would suppose the society formed for the purpose of addressing the serious part of readers to the examination how far their essays on the great and leading principles of religion agree with the bible. The word of God must be the sole guide to the understanding the scriptures. No comments of mankind, can explain them. They must rest upon themselves. It is not therefore with a view to any new theory of religion, but to increase the enquiry into the scriptures, that this society is recommended. The world goes astray, but it is because it will not seek the way, in which God has alone been pleased to reveal his will to mankind.

What reason can be assigned sufficient to prevent the formation of such a society? Their manifest intention would be to pray the grace of God in leading them to the true knowledge of his word, in order that, by pointing out an accordance of texts, the serious reader might, by the means of

grace, understand them. There is a fullness in the word of God—man, as flesh, cannot see it; that which “is flesh, is flesh”—our minds must be enlightened by grace, but we must remember the promise, “those who seek shall find”—they will find that there is no end to contemplation; every day affords new matter, and at length by the “anointing” of their eyes, they will see what they never saw before, and what the world cannot see.

New York.

A LAYMAN.



Winter.

See winter comes to rule the varied year,

Sullen and sad, with all his rising train—

Vapours, and clouds, and storms.—

THOMSON.

MUST, O winter, these fields, these enamelled meads, that boast their variegated hue, yield to thy rigid unrelenting hand? must all those unbrageous aspiring oaks, these gay trees around, be stript of all their beautiful verdant foliage, and be left desolate and bare to all the fury of the raging wind?

Ah! thy rigid approach hastens; nought can retard it: how all nature faddens! both herb, tree, and flower languishingly droop their heads. Now no more the fluctuating air bears thro' the groves the soft mellifluous warblings of the plummy peopie, nor any more is the listening ear rapturously pleased with their notes; they all have fled thy frigid, withering hand, to visit milder climes, where other groves their sweetest influence own.

See! now gloominess overspreads the north sky; and direful Boreas beats vehemently against the craggy rock and hill, and the dun leaves descend in whirling eddies to the brown earth; and often rain or hail comes rattling down, or oft the fleecy snow doth softly fall.

Now when all nature yields nought to the eye, but a barren prospect both far and wide, the groves and forests, bereaved of their leafy honours, invite not the mind to roam—now is the time, whilst leisure doth allow, to indulge sweet contemplation, by the sparkling flame, and to read o'er what poets sung, and what the acts of ancient days,

Now, frosts and snows cover the earth, and the rivers, rivulets, and ponds, full brimming, swell'd by the autumnal rains, forget to flow, fast bound in icy chains; hail, sportful time, long wished for by the youthful croud, whose chief delight it is on your transparent surfaces to fly along.

How desolate and forlorn do all things appear, so rendered by thy power, O winter! but soon thy reign will be over, and one unbounded all-prolific spring once more spread verdure over this wide world.

S. C.



HISTORICAL COLLECTOR.

1.

Providential deliverance.

THE Leyden Gazette, of the 12th of December, 1785, gives the following account of the interposition of divine providence, in favour of a widow and her family, near Dordrecht, in the province of Holland. This industrious woman was left by her husband, who was an eminent carpenter, a comfortable house, with some land, and two boats for carrying merchandise and passengers on the canals. She was also supposed to be worth above ten thousand guilders, in ready money, which she employed in a hempen and sail-cloth manufactory, as the means not only of increasing her fortune, but of instructing her children (a son and two daughters) in those useful branches of business. One night, about nine o'clock, when the workmen were gone home, a person dressed in uniform, with a musket and broad sword, came to her house, and requested lodging: “I let no lodging, friend,” said the widow; “and besides, I have no spare bed, unless you sleep with my son, which I think very improper, being a perfect stranger to us all.” The soldier then shewed a discharge from Diesbach's regiment, (signed by the major, who gave him an excellent character) and a passport from compte de Maillebois, governor of Breda. The widow believing the stranger to be an honest man, as he really was, called her son, and asked him, if he would accommodate a veteran, who had served the republic thirty years with reputation, with a part of his bed. The young man consented,

and the soldier was hospitably entertained, and withdrew to rest. Some hours after, a loud thumping was heard at the street door, which roused the soldier, who stole softly down stairs, and listened at the hall. The blows were repeated, and the door almost broken through by a sledge, or some heavy instrument. By this time the affrighted widow, and her daughters were running about, and screaming, murder! murder! but the son having joined the soldier, with a case of loaded pistols, and the latter screwing on his bayonet, and fresh priming his piece, which was well filled with slugs, desired the women to retire, as bloody work might be expected in a few minutes. Soon after, the door was burst in, and two fellows entered, and were instantly shot by the son, who discharged both his pistols at once. Two more returned the favour, from without, but without effect; and the intrepid veteran, taking immediate advantage of the discharge of their arms, rushing on them like a lion, ran one through the body with his bayonet, and whilst the other was running away, lodged the contents of his piece between his shoulders, and he dropped dead on the spot. They then closed the door as well as they could; reloaded their arms; made a good fire; and watched till day-light, when a number of weavers and spinners came to resume their employment; we may guess their horror and surprise on seeing four men dead on a dunghill, where the soldier had dragged them before the door was shut. The burgomaster and his syndic attended, and took the depositions of the family relative to this affair. The bodies were buried in a cross-road, and a stone erected over the grave, with this inscription. "Here lie the wretched carcasses of four unknown ruffians, who deservedly lost their lives, in an attempt to rob or murder a worthy woman and her family. A stranger, who slept in the house, to which divine providence undoubtedly directed him, was the principal instrument in preventing the perpetration of such horrid designs, which justly entitles him to a lasting memorial, and the thanks of the public. John Adrian De Vries, a discharged soldier, from the regiment of

Diesbach—a native of Middleburgh, in Zealand—and upwards of seventy years old—was the David who slew two of those Goliaths; the rest being killed by the son of the family. *In honorem, et gratitudinis ergo, Dei optimi maximi, pietatis et innocentiae summi protectoris—magistratus et concilium civitatis Dortrechensis hoc signum poni curavere, xx. die Nov. annoque salutaris humani, 1785.*" The widow presented the soldier with one hundred guineas, and the city settled an handsome pension on him for the rest of his life.

2.

The desperate negro.

QUASHI was brought up in the family with his master, as his play-fellow, from his childhood. Being a lad of parts, he rose to be driver, or black overseer, under his master, when the plantation fell to him by succession. He retained for his master the tenderness which he had felt in childhood for his playmate; and the respect with which the relation of master inspired him, was softened by the affection which the remembrance of their boyish intimacy kept alive in his breast. He had no separate interest of his own, and, in his master's absence, redoubled his diligence, that his affairs might receive no injury from it. In short, here was the most delicate, yet most strong, and seemingly indissoluble tie, that could bind master and slave together.

Though the master had judgment to know when he was well served, and policy to reward good behaviour, he was inexorable, when a fault was committed; and when there was but an apparent cause of suspicion, he was too apt to let prejudice usurp the place of proof. Quashi could not exculpate himself to his satisfaction, for something done, contrary to the discipline of the plantation, and was threatened with the ignominious punishment of the cart-whip; and he knew his master too well, to doubt of the performance of his promise.

A negro, who has grown up to manhood, without undergoing a solemn cart-whipping, (as some by good chance will) especially if distinguished by any accomplishment among his fellows, takes pride in what he calls

the smoothness of his skin, and its being unrased by the whip; and he would be at more pains, and use more diligence to escape such a cart whipping, than many of our lower sort would use to shun the gallows. It is not uncommon for a sober, good negro to flab himself mortally, because some boy overseer has flogged him, for what he reckoned a trifle, or for his caprice; or threatened him with a flogging, when he thought he did not deserve it. Quashee dreaded this mortal wound to his honour, and slipped away, unnoticed, with a view to avoid it.

It is usual for slaves, who expect to be punished for their own faults, or their master's caprice, to go to some friend of their master's, and beg him to carry them home, and mediate for them. This is found to be so useful, that humane masters are glad of the pretence of such mediation, and will secretly procure it, to avoid the necessity of punishing for trifles; it, otherwise, not being prudent to pass over, without correction, a fault once taken notice of; while, by this method, an appearance of authority and discipline is kept up, without the severity of it. Quashee, therefore, withdrew, resolving to shelter himself, and save the glossy honours of his skin, under favour of this custom, till he had an opportunity of applying to an advocate. He lurked among his master's negro huts; and his fellow slaves had too much honour, and too great a regard for him, to betray to their master the place of his retreat. Indeed, it is hardly possible, in any case, to get one slave to inform against another; much more honour have they than Europeans of low condition.

The following day, a feast was kept, on account of his master's nephew then coming of age; amidst the good humour of which, Quashee hoped to succeed in his application: but before he could execute his design—perhaps just as he was setting out to solicit this mediation—his master, while walking about the fields, fell in with him. Quashee, on discovering him, ran off, and the master, who is a robust man, pursued him. A stone, or a clod, tripped Quashee up, just as the other reached out his hand to seize him. They fell together, and wrestled for

the mastery; for Quashee was a stout man, and the elevation of his mind added vigour to his arm. At last, after a severe struggle, in which each had been several times uppermost, Quashee got firmly seated on his master's breast, now panting and out of breath, and with his weight, his thighs and one hand secured him motionless. He then drew out a sharp knife, and, while the other lay in dreadful expectations, helpless, and shrinking into himself, he thus addressed him: 'master, I was bred up with you from a child: I was your playmate when a boy; I have loved you as myself; your interest has been my study: I am innocent of the cause of your suspicion; had I been guilty, my attachment to you might have pleaded for me—yet you have condemned me to a punishment, of which I must ever have borne the disgraceful marks—thus only can I avoid them.' With these words, he drew the knife with all his strength across his own throat, and fell down dead, without a groan, on his master, bashing him in his blood.

3.
AT a late public sale of negro slaves, at Santa Cruz, among the great numbers that christian avarice had been either the immediate or secondary means of placing on a level with the cattle, daily brought to market, were two, each of them apparently about the age of 30, whose deportment seemed superior to the rest. What their rank had really been, they, with a fullen dignity, seemed resolved to conceal from every one. Yet, mingled with a haughty manner to all besides, there appeared in every look and action, the tenderest affection and heart-felt attachment to each other. When the captain of the vessel, which had brought them thither, entered on the necessary business of distributing the slaves into proper lots for sale, both of them, in the most submissive manner, and with an eagerness that spoke more than common feelings, clung round his knees, and hung about his garment, intreating him only to favour them, so far as to permit them both to be appointed to the same lot, by which means they might serve one master, and at least enjoy the trifling satisfaction of being companions, even in

slavery. But even this poor request itself, either through the brutality of the salesman, or from apprehensions of their combining in some mutinous design, was denied them.

Yet, earnest as they seemed in their desire, the refusal was received with manly resignation by them both; and when upon the point of being delivered to their respective masters, they only begged the leave of a few words with one another, permitted out of hearing, though not out of sight of those they were to serve. This was allowed them, and after a few minutes conversation, and a close embrace, they were sent to their respective stations. Seven days after the transaction, they were both missing at the same hour; nor were they, though the strictest search was made after them, to be found: 'till at a week's distance, a planter riding through a thicket, which lay in the midway between the two plantations they had been destined to, saw, to his great surprise, two bodies hanging on one tree, locked fast in each other's arms, embracing and embraced; which, on enquiry made, proved to be the faithful, yet desperate friends.

4. DURING the second bombardment of Algiers by the marquis du Quersne, the inhabitants, reduced to a state of desperation, carried their cruelty to the pitch of tying up some French slaves alive to the mouths of their cannon, and firing them off at their countrymen instead of bullets. A French officer, by the name of Choiseul, and friend to an Algerine captain, whose life he had at a former day preserved, was already bound fast to the mouth of a cannon, when the captain knew him. Instantly, in the most pressing terms, he solicits his friend's pardon: but not able to obtain it, darts upon the executioners, and three times rescued Choiseul out of their hands. At length, finding all his efforts useless, he fastens himself to the mouth of the same cannon, entangles himself in Choiseul's chains, tenderly and closely embraces him, and addresses the cannoner in these words: 'fire, for as I cannot save my friend and benefactor, I will die with him.' The dey, who happened to be a witness of this shocking sight,

was greatly moved by it. He passed many eulogiums upon the generosity of his subject, and exempted Choiseul from that horrid kind of death.

5. A Spanish cavalier, without any reasonable provocation, assassinated a Moorish gentleman, and instantly fled from justice. He was vigorously pursued: but availing himself of a sudden turn in the road, he leaped, unperceived, over a garden wall. The proprietor who was a Moor, happened to be, at that time, walking in the garden; and the Spaniard fell upon his knees before him; acquainted him with his case, and in the most pathetic manner, implored concealment. The Moor listened to him with compassion, and generously promised his assistance. He then locked him in a summer house, and left him, with an assurance, that when night approached, he would provide for his escape. A few hours after, the dead body of his son was brought to him; and the description of the murderer exactly agreed with the appearance of the Spaniard, whom he had then in custody. He concealed the horror and suspicion which he felt; and retiring to his chamber, remained there till midnight. Then going privately into the garden, he opened the door of the summer house, and thus accosted the cavalier: 'Christian,' said he, 'the youth, whom you have murdered, was my only son. Your crime merits the severest punishment. But I have solemnly pledged my word for your security; and I disdain to violate even a rash engagement with a cruel enemy.' He conducted the Spaniard to the stables, and furnishing him with one of his swiftest mules, 'fly,' said he, 'whilst the darkness of the night conceals you. Your hands are polluted with blood: but God is just; and I humbly thank him, that my faith is unspotted, and that I have resigned judgment unto him.'

6. MONS. D'Estache, formerly a cornet of dragoons, being fifty-two years old, under promise of marriage seduced and got with child, a young lady of seventeen years of age, whose name was St. Cheron, and then refused to marry her, under a frivolous pretence. The injured la-

dy had two brothers, officers in the regiment of Brisac, who would have fought D'Éitache, but he wounded the eldest in the face, and shot the other from a window. This unhappy family had a sister, who for some time abandoned herself to grief and rage; but the last of these passions prevailing, prompted her to revenge above the daring of her sex; for being informed that her sister's seducer, and brother's murderer, was at Montpellier, she went thither, and found means the very evening of her arrival, to be introduced to the guilty author of her family's disgrace, whom she instantly shot dead with a pistol. She then wrote to M. le Blanc, secretary at war, owning the deed, but denying it to be an offence, to which mercy was not due. The ladies of Montpellier, one and all, approved of her conduct; they made themselves prisoners, to accompany her to the throne, and she soon obtained a full pardon.

MONTECUCULI, an imperial general, had commanded, under pain of death, that no person should pass through the corn fields. A soldier, returning from a village, and ignorant of the prohibition, took a path that led across the fields. Montecuculi, who perceived his violation of military discipline, sentenced him to be hanged, and dispatched the necessary orders to the provost of the army. The soldier, however, continuing to approach his general, alleged his entire ignorance of the prohibition. "Let the provost do his duty," said Montecuculi. The soldier, whom they had not yet thought of disarming, was enraged and desperate at this injustice and inflexibility. "I have not been guilty," he exclaimed; "but now I am!" and instantly fired his piece at Montecuculi. He happily missed his aim; but this great man, allowing for the feelings of a brave soldier, pardoned him on the spot.

DURING the war between the Portuguese and the inhabitants of the island of Ceylon, Thomas de Sufa, who commanded the European forces, took prisoner a beautiful Indian, who had promised herself in

marriage to an amiable youth. The lover was no sooner informed of this misfortune, than he hastened to throw himself at the feet of his adorable nymph, who, with transport, caught him in her arms. Their sighs and their tears were mingled, and it was some time before their words could find utterance, to express their grief. At last, when they had a little recovered, they agreed, that they would, since their misfortunes had left them no hope of living together in freedom, partake with each other all the horrors of slavery.

Sufa, who had a soul truly susceptible of tender emotions, was moved at the sight. "It is enough," said he to them, "that you wear the chains of love. You shall not wear those of slavery. Go, and be happy in the lawful embraces of wedlock."

THE princess of Prussia, having ordered some rich silks from Lyons, which pay a high duty at Stetin, the place of her residence, the custom-house officer rudely arrested them, until the duties should be paid. The princess, incensed, let him know that she would satisfy his demands, and desired that he would come himself with the silks. On his entrance into the apartments of the princess, she flew at him, seized the merchandize, gave the officer two or three cuffs in the face, and turned him out of doors. The proud and mortified excise-man, in a violent fit of resentment, drew up a memorial, in which he complained bitterly of the dishonourable treatment he had met with, in the exercise of his office. The king having read the memorial, answered it as follows:

"The loss of the duties belongs to my account. The silks are to remain in the possession of the princess.—The cuffs with him that received them. As to the supposed dishonour, I cancel it at the request of the complainant:—but it is of itself null;—for the white hand of a fair lady cannot possibly dishonour the face of a custom-house officer."

(Signed)

FREDERIC.

Berlin, Nov. 30, 1778.

THE
AMERICAN SPECTATOR.

To the printer of the museum.

SIR,

AS the refinement of manners, and purity of morals, are primary objects in society, I am induced to hope, you will allot a portion of your work to writings calculated to promote these valuable purposes. If you approve my plan, I shall occasionally send you a few selected essays, of foreign, as well as native origin. I am promised the assistance of some literary friends, whose productions will tend to enliven and give variety to the collection. I am, sir, yours, &c.

D. W. H.

NUMBER I.

Reflexions on second marriages of men. Causes of the distress, which often follows. Stepmothers. Cautions to widowers, disposed to marry.

By the rev. Timothy Dwight, of Greenfield, Connecticut.

FEW articles in private life have occasioned more speculation, or more censure, than second marriages. The cruelty and odiousness of stepmothers, and the unhappiness of the families where they exist, are proverbial. For so general a censure, there is undoubtedly some foundation, as it cannot be imagined that so many more bad women happen to be introduced into that station, than into any other. This foundation is as undoubtedly to be sought in the character itself, and its attendant circumstances.

There are certain causes, naturally productive of such conduct in stepmothers, as will create unhappiness in their families, which are obvious and universal. Yet these are not so efficacious, as always to produce this conduct; for many women, in this character, are as much beloved, as free from censure, and as happy, as were the real parents of their families. This is incontestible evidence, that the characters may be successfully sustained, so that these general causes are not so powerful, as uniformly to produce their disagreeable effects.

If the above remarks are just, there is reason to believe that the unhappi-

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ness complained of, is often casual, and owing to causes which prudence might enable us to avoid. But to avoid them, it is necessary that they should be known.

In the course of my own experience in human life, the unhappiness of families, under the government of stepmothers, has appeared to me to be commonly chargeable to their husbands. Few men, when entering upon a second marriage, use the same prudence, which is conspicuous in the other parts of their conduct. Influenced by vanity, on one side, and by amorous inclination, on the other, instead of looking for a good mother to their children, and a good mistress to their domestic concerns, they search for some young, inexperienced, giddy girl, whose beauty may gratify their amorous views, and whose youth, and choice of them, may gratify their vanity. Hence the unfortunate wife is introduced, almost in a state of childhood, into the arduous station of mother to a numerous family, and into the difficult employments of providing for their wants, instructing them in governing their tempers, and regulating their conduct. It is impossible that such a mother should not do a thousand foolish, improper things. So important a station, to be happily filled, requires not only a good share of natural endowments, and of the accomplishments of education, but much of that wisdom, which is taught alone by experience. How totally at a loss must the unhappy woman then be, who, through her own thoughtlessness, and her suitor's solicitations, finds herself plunged into a multitude of cares, and duties, without any acquaintance with the mode of discharging them.

By this inexperience, all her burdens are doubled. Her daily circle of business becomes doubly painful, because she knows not the most easy, convenient methods of performing it; and the government of her children is rendered peculiarly troublesome, because she is wholly untried, and unskilled in the arts of governing. For these reasons, she is naturally induced to believe, that her children have more, and greater faults than others; not only because she was never before at all concerned with the faults of children, or ever led to attend to

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them; but because she sees other women, of no greater talents, or experience, slide easily over the management of their families. It is not natural for her to attribute this to the real cause, their marrying men of their own age, and entering upon those cares with the gradual progress allowed by a beginning family; this would be a condemnation of her own choice and conduct in marrying. Hence she imputes it to the peculiar forwardness of her children, and treats them with a dislike and rigour, conformed to such imputations. In these circumstances, the children, irritated by a treatment wholly contrasted to that of their own mother, take little pains to obey, or to please her, observe all her mistakes, magnify her faults, and, (if any of them, as is frequently the case, are grown to adult years) tell them with bitterness to her face.

Nor is this all; unhappy at home, they seek a respite from their troubles in the neighbourhood. Their misfortunes naturally become the topic of conversation, and their mother's imperfections are rehearsed and enlarged. Some of their neighbours, from compassion for them, and many more from the love of slander and meddling, imprudently join in their resentments, and mischievously make the breach larger, which, with prudence and good will, they might often make less. Such persons magnify to them their distresses, the excellencies of their deceased mother, and the blemishes of her successor; and cherish their opposition and resentment by testimonies of their approbation. Especially is this the practice of their relations; who, through an ill-judged but natural tenderness, frequently ruin the character, and the happiness of both mother and children.

In the mean time, the mortifications of the wife are allayed by none of those endearments, and indescribable little offices of affection, which, in the first marriages of the young, sweeten the bitter cup of life, and cover every bramble with roses. On a lover, fifty years old, these offices, could he perform them, would hang very ungracefully. But they are beyond his power. Neither his imagination nor his affections have sufficient

agility, to avoid awkwardness and dulness in innumerable pleasing acts of attention, which clothe a youthful suitor with peculiar loveliness. Nothing, indeed, can be more ridiculous, than to see a grey-haired old gentleman, whom a series of discreet and useful conduct has elevated to dignity, stepping down a whole flight of stairs at once, and aping youth, sprightliness, and love, at the bottom. As I am an old man myself, at least in my own feelings, I hope my compeers in age will not think these remarks dictated by prejudice.

The calamities, I have mentioned, are by no means the whole amount of wretchedness attendant on such unequal marriages. As numerous offspring usually swarm upon a house that was before filled, these, growing up in the dotage of the father, receive from him none of the most necessary administrations of government, and, of course, are rude, headstrong, forward, and vicious. As they advance in years, they quarrel with their elder brothers and sisters, and as the mother is previously a party against the latter, she is doubly induced to favour her children. Thus enmity, jealousy, and jangle, divide and harass a house, where a little self-government, prudently exercised by the father, in his second marriage, would have perpetuated peace and prosperity. Under this complication of distresses, the father usually sinks into despondence and insignificance. Beloved less and less by his wife and his children, he languishes out a weary life, and commonly meets death with a peculiar resignation.

I am far from thinking that all the miseries of second marriages are produced in this manner; but I am entirely convinced, that, in most instances, they are derived from other sources than badness of character in the step-mother. This indeed happens at times, and as often as in first marriages, but in no measure often enough to account for the numerous instances of wretchedness produced in this way. The error is usually and fatally committed in forming the connexion, and commonly rests on the head of the father.

It often happens, that such marriages are made unhappy by an undue

attention to property: for which the avarice of fifty frequently sacrifices every other consideration. In many instances, mere caprice, or whim, is the source of an ill-judged connexion. And in many instances, where few objections can be offered against the connexion itself, the imprudent intervention of neighbours and relations, blasts every hope, and produces poison, when there was a fair prospect of fragrance and honey.

It will be asked by him, who has lost his first wife, and is warmly engaged in the pursuit of another, "what course shall I take? must I live a single life, in solitude and melancholy, the remaining part of my days? must I give up every hope of renewing the conjugal happiness, now doubly endeared by enjoyment?" No, my friend, you need not renounce such hopes. But wait till a fit time after your wife is buried, before you make your second wedding; and that to benefit yourself, as well as to respect her memory. When you can do it with decency, look round the circle of women within your knowledge; examine as impartially as you can; and see, not who will gratify your vanity, your lust, or your avarice, but who will make a kind and prudent mother to your children, a skilful directress of your domestic concerns, and a sensible, pleasing companion to you. Learn, as far as possible, from observation, and from enquiry, who will add to your reputation, and your happiness; who will appear to have been chosen with discretion and dignity, and who will so conduct, as that your family will look up to her with respect, and not down upon her with necessary contempt. Remember, that you ought to marry for your children, as well as for yourself: and that, in the character and conduct of your wife, their happiness is at least as intimately concerned, as your own. Expect not to find a woman whom you will love, as perhaps you did your first wife, with the instinctive passion of youth. In such an expectation you will certainly be disappointed; and if you imagine yourself the subject of that passion, you will deceive yourself. On the contrary, search for one whom you cannot but rationally esteem, for her good sense, sincerity,

benevolence, and skill in domestic management. These valuable qualities will furnish a solid foundation, for a sober, dignified affection, which will endure, and increase, through life. Think not of a wife, whose years are greatly inferior to your own. She will never love you as her husband; you will never esteem her as your wife. Your children will not respect her; the world will laugh at you. But if, mad with avarice, with lust, or with vanity, nothing but youth and beauty will satisfy your wishes, remember that misery is at the door, and will enter in, in the train of your bride, and prove one of your domestics as long as you live.

NUMBER II.

Remarks on coxcombs. A portrait.

A coxcomb not so contemptible a character as generally esteemed.

In no danger from female charms.

THERE is no person, among all my acquaintance, whose movements I have more narrowly watched, than those of a young coxcomb, who sometimes visits me. If the reader wishes to know why I have so critically inspected the actions of this finical youth, I will explain my motives as concisely as I can. I have often heard that every description of men have some useful and commendable qualifications; and in order to ascertain the truth of this observation, I pitched upon a coxcomb, as the most suitable subject, to bring the question to a test. If any valuable qualities can be discovered in such a character, I think we may pronounce, with some certainty, that no mortal is exempt from a share of good properties. We should distinguish between qualities that are useful to one's self, and those that are so to other people. My present enquiry shall be principally confined to the former.

In the first place, then, a coxcomb cannot be a lazy man. I am sensible many censorious people are often ranking him with the idle and dissolute. The charge has no foundation in truth. Whoever attempts to follow all the fluctuations of the fashions, and suffers no other person to keep a-head of him in this respect, will find full employment for his activity and discernment. It is impossible any one can do this, and be in-

dolent. The young fribble, of whom I am now speaking, is engaged in no professed line of business, and yet I know of no person, whose time is more incessantly occupied. He mentioned to me, the other morning, by way of apology for not performing an engagement he was under, that he had not had a leisure moment, for more than a fortnight past. This circumstance induced me to keep a vigilant eye over his actions, and satisfy myself in what manner, he consumed his days. I called at his lodgings two or three mornings successively, so early that I found him at home. He employed nearly three hours in dressing; and I am convinced he could not do it in a shorter time. More than an hour was devoted to the barber, and the reader may be certain it was not a moment too long. The fop had almost as much to do as the barber, for he rose from the chair, ten times in the course of the operation, to see if all the hairs were well adjusted. But the hardest task was with the boot-maker. My friend had a dozen pair of boots to try, and it took him more than fifteen minutes to draw one boot over his leg. In the course of the experiment, I am confident he went through more fatigue, than a labouring man would have endured, by breaking flax smartly for six hours.

It would be endless for me to particularize all the objects, which unavoidably fall in the way, and prevent a coxcomb from wearing away his moments in sloth and inactivity. It must be remembered that he has the process of dressing to pass through, twice in twenty-four hours. The remainder of his time is spent in visiting and in some fashionable amusements, which can by no means be performed by a lazy man. These remarks will, I hope, exculpate my dressy acquaintance from the charge of indolence.

But a more beneficial effect, than that just mentioned, is derived from being a complete coxcomb, in the security it affords a man against the pains and inconveniences of being captivated with female charms. It is well known that one of these butterfly men loves no created being so well as himself. His whole powers of admiration find employment about his own person. Any disgust or inattention, shewn him by a female, is cal-

led caprice; and is supposed to result from a want of elegance or purity of taste. This shelter against these frequent impressions, which men of less personal vanity feel, is no inconsiderable advantage. It may fairly be denominated a useful quality to the person who possesses it. Though he extravagantly admires no lady, still he may be the friend and patron of many. Superficial women court his attention, because they are pleased with his finery: and sensible women have pleasantries enough to indulge his vanity and self-approbation. His forms of politeness and good humour are conspicuous, and he will grant the ladies every thing they ask of him, except his admiration and love.

A still greater utility, in being a devotee to dress and gaiety, proceeds from its being a pretty effectual guard against gross intemperance, and many other vices destructive of health and morals. The life of an abandoned profligate is not compatible with that of a finished coxcomb. Very different passions give rise to these characters, and they have very different objects in view. Scenes of extravagant dissipation are generally attended with rough language, than which nothing can be more disagreeable to a man of real foppery. He avoids every situation where he cannot be looked at and flattered. His inclination leads him among genteel people, who admit him as an associate, for the civility of his deportment, and who are themselves too well bred to call in question his claims to admiration.

Upon the whole, I am induced to believe that most people entertain too mean an opinion of coxcombs. It is a much more unexceptionable character than is usually imagined; and a well-shaped stripling, who has rich friends, and slender talents, may be said to have taken his best destiny, when dress is the object of his care, and personal vanity the motive of his conduct. By this means, he will at least escape being a loungeur, as he must of course be active and busy, to keep up the part he assumes.—Nor will he probably become a drunkard, a knave, or a blackguard; for he can be neither of these, without essentially interfering with the main wish of his heart, to be complimented as a *sweet pretty fellow*.

New York, September 30, 1789.

NUMBER III.

Remarks on various inferior sources of anxiety, and on the secret of living happily.

TEARS and complaints are among the sources of relief that lie open to the afflicted and unfortunate. Those people, who can vent their grief in either of these ways, feel less oppression of spirits, than those who conceal their misfortunes, through a temper of pride, or cherish their sadness, under such a close contexture of heart, as cannot readily let loose its sorrows. But one meets with innumerable ills and vexations in the world, about which, it would be weakness to sigh, and indelicacy to complain.

An epicure, in dining with his friend, sometimes finds no dish that suits his palate. The cookery may in every respect be different from what he relishes. To be sure, he is placed in a situation, which, to him, is a very unpleasant one. Nothing could vex him more, and yet he must not complain. He must disguise his feelings, or he will offend those of his friend.

An old man, connected with a young wife, whom he dares not quarrel with, is perpetually exposed to vexations, which he cannot even mention, without being ridiculed. His natural disposition may be fullen and reserved; and those characteristics may be heightened by age and infirmity. Her temper may be peculiarly gay and volatile, and her desire of company and amusement, may be increased, by living with a husband, whose character and wishes are so different from her own. Both of them feel a state of uneasiness, which they can neither hope to escape, nor cease to lament. And yet their inquietudes are of such a nature, that any complaint would excite contempt rather than pity. The evil admits of no remedy: it meets with no compassion. It can be no mark of discernment for persons voluntarily to plunge into a situation so tedious and hopeless.

The secret of living happily depends very much on knowing how to avoid the description of evils to which I allude. In the choice of intimate friends and companions, one

will fall into disagreeable mistakes, unless he acts with great discernment and caution. A similarity in circumstances, a coincidence in political sentiments, and many other causes, may induce men to form circles of acquaintance, into which perhaps not a single ray of real friendship ever penetrates. One should not number among his particular friends, those persons, with whom he becomes acquainted, only through accident or convenience. If he does, he will commit an error, that will involve him in all the difficulties, I am exhorting him to shun. Before any man is recognized as a familiar associate, he ought to give unequivocal proof, that he possesses purity of principles, and generosity of heart. There should be a resemblance in taste and habits, between those who often come together for the relaxation of their mutual cares. When there is a disagreement in this respect, their scenes of mirth and festivity will soon degenerate into sullenness and discontent. It is not material, that there be a similarity of age, understanding, or natural temper. It is only requisite that their habits and inclinations should be formed with a view to similar modes of gratification. Nothing is more common than for an old man to be less sprightly and enterprising than his young friend, and yet both may take delight in the same course of business and amusement. A man, prone to silence and gravity, may be happy in companions of an open unreserved temper. If they are both alike well-bred, and familiarised to like customs, their difference of temper may probably never prove a source of much vexation to each other. But persons living together will soon disagree, if they have been accustomed to a different stile and manner of enjoyment, and have modelled their taste and fashions by a different level of circumstances.

When I visit my friend, it is of no importance to my happiness, that he should know as much, or talk and laugh as much, as I do. But if he gives me bad wine, and a dinner not so well dressed, as I could have got elsewhere, I undergo a vexation, against which I have no remedy. This shews how much of our pleasure in

life depends on avoiding habitual familiarities with persons, who will incessantly counteract our prevailing taste and inclination. I may view a man with respect and veneration for his talents and virtues, and yet no degree of acquaintance may be able to interest any of the tender sentiments of my heart. We may both applaud each other for our respective good qualities, but we must commit force upon ourselves, if we attempt to pass a social hour together.

It cannot be too much contemplated how many of the irksome moments of life are occasioned by incidents, that appear too trifling to be ranked in the catalogue of misfortunes. No man could ever move one sensation of pity in the breast of another, because his fellow-lodgers chose a different hour of dining, or a different sort of provisions, from himself; and yet many a man has suffered more actual vexation from such a cause, than he probably has realized in all the losses and disappointments that have perplexed his plans of business.

When a man is assailed by those heavy misfortunes, which engage the attention of mankind, he may flatter his pride, by the manly fortitude he discovers, and assuage his grief, by the tender sympathy he excites. This source of consolation, however, is not open to a man, who is vexed and mortified by a thousand untoward accidents, which embitter every moment of his life, and which he cannot think of, without sentiments of shame, nor declare without exposing himself to derision. Men may be so incessantly teased with incidents of this stamp, as to fall into habits of peevishness and caprice, and become a torment to themselves, and those with whom they associate. I have seen two men, who, from motives of convenience in business, became fellow-lodgers; their taste in living was so opposite, that they were never both pleased with precisely the same thing. It is incredible, how a petulance of temper grew upon them, and how soon they disliked each other as companions. It was no relief, under such vexations, that they were both sensible, well-informed men, and both sustained an excellent character. Had one of them been a fool

and the other a wise man, they had probably lived more harmoniously together, if their taste and habits had coincided better. These reflexions will, I hope, lead my readers into an examination of the causes, that contribute to happiness and tranquility. I am confident, that, with a little precaution, men may make life pass away more agreeably, and escape innumerable sources of disquietude, in which a great portion of the human race are involved.

New York, Nov. 21, 1789.

NUMBER IV.

Religion and superstition contrasted.
By the rev. Joseph Lathrop, of
Springfield, Connecticut.

RELIGION supposes a knowledge of the Deity, his perfections and government—of ourselves as rational, moral, fallen creatures—of the way in which offenders may be restored to the divine favour—and of mankind, in their various relations to us. It consists in an unreserved regard to the duties resulting from our nature and condition, and the relation in which we stand to other beings. It is ‘a reasonable service.’ As it is founded in knowledge, so it enlarges the mind, exalts and refines its powers, and gives them their just direction and employment. Religion, conscious of human weakness, rests on divine revelation; but, in examining the evidence, design, and meaning of revelation, admits the aid of reason. It is calm in its enquiries, deliberate in its resolves, and steady in its conduct. It cherishes modest and humble thoughts—is open to light and conviction—and labours for improvement. It is mild and peaceable in its disposition—sober and temperate in its manners—candid and condescending to others. It studies to promote love and union among men, in civil and in religious society; reprobates none for trivial differences; attends, chiefly, to things of solid importance; and regards, as the friends of God, all who do so, whatever name they bear. It condemns vice, and the errors that lead to it—approves virtue and the truths which promote it—whether in friend or enemy. It aims to please the Deity, by a constant observance of his injunctions; and under a sense of re-

velation, penitently relies on mercy, through the grand atonement provided. It is firm in danger, uniform in duty, content with the silent approbation of the heart, and a consciousness of divine approbation, humbly trilling in the wisdom and equity of the supreme government. In a word, religion improves the intellects, rectifies the will, sweetens the temper, calms the passions, gives peace to the conscience, and renders men courteous, friendly, and beneficent to each other, and useful in every relation.

Superstition is a kind of inconsistency, trilling scrupulosity. It discovers itself in a fervent zeal for and against matters of indifference or small importance, while things of real weight are overlooked. It lays stress on practices that have no connexion with virtue, and opinions that make no man wiser or better, and have neither evidence to support them, nor usefulness to recommend them; and rejects those that have both. In the expressive language of sacred writ, 'it strains at a gnat, and swallows a camel.' It springs from ignorance of men and things, from false notions of the Deity and his government, and absurd conceptions of the nature of piety and virtue. It is guided by the traditions and opinions of men, more than by sober reason and plain revelation. It is credulous in some favourite matters—in others blind to argument. It is hasty in its judgment, and rash in its conduct—vain in its opinion of itself—fond of show and parade—attached to a party—censorious of others—and apt to make divisions and separations in society, under pretence of superior wisdom or sanctity. It justifies in its favourites, what it condemns in every body else. It is fierce and malignant in its temper—stiff and obdurate in its sentiments and practices—much given to complaint of persecution from others—yet unmercifully cruel towards others—and scrupulous of no measures to make proselytes or extirpate opponents. It is dark and suspicious—gloomy and sullen—timorous and irresolute. It fears imaginary evils—and trusts in imaginary means of security. It attempts to commute for the neglect of essential duties, by great severity and punctilious exactness in

little things; and labours to placate an offended Deity, and conciliate his favour, by arbitrary, unrequired, useless, unavailing observances. In a word, superstition fetters the understanding, depresses the spirits, embitters the temper, disturbs the passions, and spoils the manners. It produces complaints without grievance, animosity without an injury, contention without an object, terror without danger, confidence without foundation.

A good man, tinctured with superstition, deforms his religion—defeats the influence of his example—causes his good to be evil spoken of—and exposes his piety to contempt. A bad man, governed by superstition, is a vexation to mankind, and a torment to himself.

THE POLITICIAN.

NUMBER I.

On submission to civil government. By the rev. Joseph Lathrop, of Springfield, Connecticut.

MANKIND cannot subsist without society, nor society without government. If there were no way to controul the selfishness, check the passions, and restrain the vices of men, they would soon become so intolerable to one another, that they must disperse, and, being dispersed, must perish, or be miserable. Government is a combination of the whole community, against the vices of each particular member. The design of it is not merely to provide for the general defence against foreign power, but to exercise a controul over each member, to restrain him from wrong, and compel him to right, so far as common safety requires. Mankind, by entering into society, and coming under government, put the protection of their rights, and the redress of their wrongs, out of their own hands: and, instead of defending or recovering their rights, by private force, they agree to submit to the more impartial decision of the society, or of those whom the society has constituted judges.

That a people may be free and happy under government, they must be wise and virtuous. A well-framed constitution may be some security; the

wisdom and virtue of the people is a greater. A virtuous people may subsist under a mild government; a corrupt and vicious people must be ruled with rigour. Those who are governed by rational principles of their own, need but little other government; those, who are wholly destitute of such principles, must be governed by external force and terror. 'The law is not made for a righteous man, but for the lawless.'

We have by force repelled a foreign encroachment on our liberties, and established a government of our own. Whether we shall be safe and happy now, depends much more on our own conduct, than on the form of government, which we have adopted, or any other that can be devised.

We should always be careful to commit the powers of government into the hands of wise and virtuous men; for it is manifestly absurd, to trust the common safety with those, whose ability and integrity would not entitle them to our confidence in private life.

We should contribute our aid to carry into execution the wholesome laws of the community, especially those which immediately relate to the virtue and morals of the people.

We should educate our children in rational notions of civil liberty, but, at the same time, in just sentiments of subordination and submission to authority; and instil into their minds such principles of honour, benevolence, integrity, piety, and universal virtue, that they may have little occasion for the restraints of public laws.

A wise people will inspect the conduct of their rulers, and guard their rights from every invasion. But they will not indulge an excessive jealousy, nor complain of measures, which they understand not, or which could not be avoided.

When a people are greatly burdened, they may justly demand the severest economy in the application of public treasures; but they should be careful, that they impute not to prodigality, those expenses, which arise from necessity.

If rulers are profuse, we may prefer men of more frugality; but let us, in private life, exercise the same frugality, which we expect of them, in

their public stations. The man that wastes his own substance, would not be very sparing of public money, if it was committed to his disposal: and such a man complains of extravagance with a very ill grace.

If the general character of a people is frugal, such, of course, will be the prevailing disposition of rulers; because men of this character will be chosen to places of public trust; and their conduct will be much influenced by the prevailing taste and manners of the people.

We commonly say, rulers ought to be our examples. And so they ought. And why ought not we also to be theirs? In absolute governments, where the people are dependent on the will of their rulers, the public examples very much govern private manners. In popular and elective governments, like ours, the case is, in some measure, the reverse. Rulers are here chosen by, and dependent on, the people: and it may naturally be expected, that they will be good or bad, frugal or profuse, very much according to the prevailing character of their constituents.

If we would have the government reformed, we must reform ourselves. The more virtue there is among private persons, the more there will be among rulers, and the more easy it will be for government to carry into execution, laws for the suppression of vice, and the encouragement of virtue. The best laws are impotent things, when the general disposition is to violate them. They are but cobwebs, which may happen, now and then, to entangle some feeble insect, while the strong will break through, and escape. But good laws carry force and terror, when the main body of the people approve them, and are resolved to obey and support them.

NUMBER II.

Essay on patriotism.

THE love of our country is an inflexible determination of mind to promote, by all justifiable means, the happiness of that society of which we are members; to attend to it with a warm and active zeal; to neglect no opportunity by which we may, without violating the great law of universal benevolence, advance her honour and interest; and generously to sacrifice to

this governing principle, all inferior regards, and less extensive claims, of what nature soever.

This is that elevated passion, of all others the most necessary, as well as most becoming to mankind; and yet, if we believe the common complaints, of all others, the least visible in the world. It lives, we are told, rather in description than reality, and is now represented as an antiquated and forgotten virtue. Wretched picture of the human race! If this be a just representation, we are degenerate indeed—inferrible to all social duties—counteracting the common bond of alliance with our species—and checking the source of our most refined satisfactions.

There is in the souls of men a certain attractive power which leads them, insensibly, to associate, and to concert the plan of mutual happiness. If any thing be natural to us, it, must be that passion which conduces to the preservation of the species. But nothing so manifestly contributes to that end, as this combining principle of fellowship, which must, therefore, be as certainly derived from nature, as the love we bear to our offspring, or that which they have for each other. The public is, as it were, one great family; we are all children of one common mother, our country; she gave us all our birth, nursed our tender years, and supports our manhood. In this light, our regards for her seem as natural as the implanted affection between parents and children. It is then from the very frame of man that the sense of a national brotherhood arises, and a public is recognized by the suffrages of unerring nature.

Whenever, therefore, this uniting instinct is obstructed in its operations, by the unequal indulgence of private affection, the balance of the passions is destroyed, and the kind intention of the Creator no less imprudently than impiously perverted.

I might here enlarge on the mutual delights given and received, in the social entertainments and conversation of a people, connected together by the same language, customs, and institutions, and from thence shew the reasonableness of an affectionate attachment to the community; but I

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choose to point out the obligations to this associating virtue, as they arise from higher and more interesting principles.

The miseries of the state of nature are so evident, that there is no occasion to display them. Every man is sensible, that violence, rapine, and slaughter, must be continually practised, where no restraints are provided, to curb the inordinance of self-affection. To society we owe our security from those miseries, and to a well-poised government—such as ours—we stand indebted for our protection against those, who would encroach upon the equal share of liberty which belongs to all, or would molest individuals in the possession of what is fairly appropriated. And what an unspeakable satisfaction is it to be free—and to be able to call what we justly hold, our own! Freedom and security diffuse cheerfulness over the most uncomfortable regions, and give a value to the most contemptible possessions; even a morsel of bread, in the most frozen climates, would be more worth contending for, if liberty crowned the meal, than the noblest possessions and greatest affluence, under the mildest skies, if held at the merciless will of a civil or religious tyrant. As such a happiness is only to be established by the love of society—and as all the blessings which we enjoy, spring from this source—gratitude calls upon us to cultivate a principle to which we owe such transcendent obligations.

But the obligation increases upon us, when we consider that from society is also derived a set of amiable duties, unknown to man in a detached, unconnected state. It is from this fountain, that hospitality, gratitude, and generosity flow, with all the pleasing charities which adorn human nature. For where have those virtues their theatre—where is their scene of action—how can they exert themselves—but in society? It is there alone we have opportunities of displaying the moral charms, and of exhibiting the glorious manifestation of goodwill to mankind. On this account, therefore, society has an high demand for our affectionate regard.

To be unmindful of the public, is not only an argument of an ungrate-
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ful, it is also a proof of a dishonest temper of mind. He, who injures particulars, is, indeed, an offender; but he who withholds from the public the service and affection to which it is entitled, is a criminal of a far higher degree; as he, by such a behaviour, robs a whole body of people, and deprives the community of her just demand. If one man has a good understanding, and does not exert it for the general advantage, by advice and council—if another has riches, and will not assist with his liberality—if a poor man has strength, and will not aid with his labour—if, in short, any man be wanting, in pursuing the benevolent principle, by exerting his talents to their proper ends, he deserves to be treated as a common spoiler; as he takes what does not, properly, belong to him, the title of each man's share of the benefits of society, arising only from that proportion to which he has, himself, contributed.

Public good is, as it were, a common bank, in which every individual has his respective share; and consequently, whatever damage that sustains, the individuals unavoidably partake of the calamity. If liberty be destroyed, no particular member can escape the chains. If the credit of the associated body sink, his fortune sinks with it. If the sons of violence prevail, and plunder the public stock, his part cannot be rescued from the spoil. If then we have a true affection for ourselves—if we would reap the fruits of our industry—and enjoy our property in security—we must stand firm to the cause of public virtue. Otherwise we had better return to the raw herbage for our food, and to the inclemencies of the open sky for our covering; go back to uncultivated nature, where our wants would be fewer, and our appetites less. Such a situation, notwithstanding all its inconveniencies, is far preferable to a barbarous government, and far more desirable than the lot of slaves.

We see, then, how closely the supreme being has connected our interest with our duty, and made it each man's happiness to contribute to the welfare of his fellow-citizens.

But still the more noble motive to

a generous soul is that which springs from the exalted appetite of diffusing the joys of life to all around him. There is nothing he thinks so desirable, as to be the instrument of doing good; and the farther it is extended, the greater is his delight, and the more glorious his character. Benevolence to friends and relations is but a narrow-spirited quality, compared with this, and perhaps as frequently the effect of caprice or pride, as of a benevolent temper. But when our flow of good-will spreads itself to all the society, and in them to distant posterity—when charity rises into public spirit, and partial affection is extended into general benevolence—then it is that man shines in the highest lustre, and is the truest image of his divine Creator.

NUMBER III.

Remarks on liberty of conscience and civil establishments of religion. By Dr. Price.

IN liberty of conscience I include much more than toleration. Jesus Christ has established a perfect equality among his followers. His command is, that they shall assume no jurisdiction over one another, and acknowledge no master besides himself. It is, therefore, presumption in any of them to claim a right to any superiority or pre-eminence over their brethren. Such a claim is implied, whenever any of them pretend to *tolerate* the rest. Not only all christians, but all men, of all religions, ought to be considered, by a state, as equally entitled to its protection, so far as they demean themselves honestly and peaceably. Toleration can take place only where there is a civil establishment of a particular mode of religion; that is, where a predominant sect enjoys exclusive advantages, and makes the encouragement of its own mode of faith and worship, a part of the constitution of the state, but at the same time thinks fit to *suffer* the exercise of other modes of faith and worship. Thanks be to God, the new American states are at present strangers to such establishments. In this respect, as well as in many others, they have shewn, in framing their constitutions, a degree of wisdom and liberality, which is above all praise.

Civil establishments of formularies of faith and worship, are inconsistent with the rights of private judgment—they engender strife—they turn religion into a trade—they shoar up error—they produce hypocrisy and prevarication—they lay an undue bias on the human mind, in its enquiries, and obstruct the progress of truth. Genuine religion is a concern, that lies entirely between God and our own souls. It is incapable of receiving any aid from human laws. It is contaminated, as soon as worldly motives and sanctions mix their influence with it. Statesmen should countenance it only by exhibiting in their own example, a conscious regard to it in those forms which are most agreeable to their own judgments, and by encouraging their fellow-citizens in doing the same. They cannot, as public men, give it any other assistance. All, besides, that has been called a public leading in religion, has done it an essential injury, and produced some of the worst consequences.

The church establishment in England is one of the mildest sort. But what a snare has even that been to integrity? And what a check to free enquiry? What dispositions, favourable to despotism, has it fostered? What a turn to pride, and narrowness, and domination, has it given the clerical character? What struggles has it produced in its members, to accommodate their opinions to the subscriptions and tests which it imposes? What a perversion of learning has it occasioned, to defend obsolete creeds and absurdities? What a burden is it on the consciences of some of its best clergy, who, in consequence of being bound down to a system they do not approve, and having no support, except that which they derive from conforming to it, find themselves under the hard necessity of either prevaricating or starving?—No one doubts but that the English clergy in general could, with more truth, declare that they *do not*, than that they *do* give their unfeigned assent *to all and every thing* contained in the thirty-nine articles and the book of common prayer: and yet, with a solemn declaration to this purpose, are they obliged to enter upon an office, which, above all offices, requires those who

exercise it, to be examples of simplicity and sincerity. Who can help execrating the cause of such an evil?

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It is indeed only a rational and liberal religion—a religion, founded on just notions of the Deity, as a being who regards equally every sincere worshipper, and by whom all are alike favoured, as far as they act up to the light they enjoy—a religion, which consists in the imitation of the moral perfections of an almighty but benevolent governor of nature, who directs for the best, all events—in confidence in the care of his providence—in resignation to his will—and in the faithful discharge of every duty of piety and morality, from a regard to his authority and fear of a future righteous retribution—it is only this religion (the inspiring principle of every thing fair, and worthy, and joyful, and which, in truth, is nothing but the love of God, and man, and virtue, warming the heart, and directing the conduct)—it is only this kind of religion that can bless the world, or be an advantage to society. This is the religion that every enlightened friend to mankind will be zealous to promote. But it is a religion, that the powers of the world know little of, and which will always be best promoted by being left free and open.

I cannot help adding here, that this is in particular the christian religion. Christianity teaches us that there is none good but one, that is, God: that he willeth all men to be saved, and will punish nothing but wickedness: that he desires mercy and not sacrifice (benevolence rather than rituals); that loving him with all our hearts, and loving our neighbour as ourselves, is the whole of our duty; and that in every nation, he that feareth him and worketh righteousness, is accepted of him. It rests its authority on the power of God, not of man; refers itself entirely to the understandings of men; makes us the subjects of a kingdom that is not of this world; and requires us to elevate our minds above temporal emoluments, and to look forward to a state beyond the grave, where a government of perfect virtue will be erected, under that Messiah who has talked

death for every man. What have the powers of the world to do with such a religion?—It disclaims all connexion with them; it made its way at first in opposition to them; and, as far as it is now upheld by them, it is dishonoured and vilified.

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From the preceding observations, it may be concluded, that it is impossible I should not admire the following article, in the declaration of rights, which forms the foundation of the Massachusetts' constitution. "In this state, every denomination of christians demeaning themselves peaceably and as good subjects of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law*."

This is liberal beyond all example. I should, however, have admired it more, had it been more liberal, and the words, "all men of all religions" been substituted for the words, "every denomination of christians."

It appears farther from the preceding observations, that I cannot but dislike religious tests, which make a part of several of the American constitutions. In the Massachusetts' constitution, it is ordered, that all, who take seats in the house of representatives or senate, shall declare "their firm persuasion of the truth of the christian religion." The same is required by the Maryland constitution, as a condition of being admitted into any places of profit or trust. In Pennsylvania, every member of the house of representatives is required to declare, that he acknowledges the "scriptures of the old and new testament to be given by divine inspiration;" in the state of Delaware, that, "he believes in God, the Father, and in Jesus Christ, his only Son, and in the Holy Ghost, one God, blessed for evermore." All this is more than is required even in England; where, though every person,

NOTE.

* The North Carolina constitution also orders that there shall be no establishment of any one religious church or denomination, in that place, in preference to any other.

however debauched, or atheistical, is required to receive the sacrament as a qualification for inferior places, no other religious test is imposed on members of parliament, than a declaration against popery. It is an observation no less just than common, that such tests exclude only honest men. The dishonest never scruple them.

Montesquieu probably was not a christian. Newton and Locke were not trinitarians—and, therefore, not christians, according to the commonly-received ideas of christianity—Would the united states, for this reason, deny such men, were they living, all places of power and trust among them?

NUMBER IV.

Remarks on compensation for public services.

IN my excursions through several parts of New-England, I have noticed a class of citizens, who complain of the compensations, allowed by congress, to the principal officers of government.

The liberal character of the Americans is an evidence, that those complaints arise more from their strong jealousy for liberty, than from parsimony. A jealous concern for public liberty is a noble passion, which will guard the freedom of your posterity; but at the same time, it needs the rigid correction of reason. A weak and ignorant administration is one common means of subverting popular rights. Those very principles in the human mind, which make men jealous of their liberty, will, without restraint, lead them into licentiousness.

The end of good government is, to divide out liberty in proper portions to every citizen, that all may be free, and none oppressed. In a state of anarchy, every neighbour becomes a tyrant, in his own little sphere of afflicting; in absolute governments, there are few tyrants, awful in their course—and to approach them is approaching death. If you must be wretched, it matters little whether the minister of a prince, or an ill-natured neighbour, be the instrument. Civil government is the only possible guard against these evils. If you were a nation of slaves, the sword, bayonet,

and prison would give efficacy to the measures of weak and unprincipled rulers: but you are free, and if governed at all, men of high talents and approved integrity—your most literary and industrious citizens—must be called into employment. Such men never have need to beg business, for the resources of their own minds and their application are a fund of wealth. If the public design to have their services, the reward must be adequate to their abilities, and bear some proportion to the gains they can make in private life.

No man will leave a private employment, which promises him a thousand dollars per annum, for an office of half the sum, in which he is responsible to the public opinion, and perhaps endangers the loss of his reputation for wisdom; a sacrifice, for which no pecuniary satisfaction can be made. Honour, or the public notice, may with a few be an inducement; but these few are persons of great vanity, and have not abilities for a difficult or confidential trust. Men of discernment—and such you want—know how to estimate their own consequence in the state: they know, that if, for the present, you employ mean abilities, for the sake of being served at a cheap rate, the public system will soon be deranged, and that you must then purchase their aid, at such price as they please. It is a better way to commence your government on such principles, as will be permanent. Let public officers be few, and make them responsible both for their capacity and honesty. It is too much the custom of this country to pity a man, who says, "I did as well as I knew." Ignorance ought to be no excuse before the sacred tribunal of the public. He who accepts an office, doth it at his own risk, and there are as many reasons why he should bear the consequences of incapacity, as of knavery. Make this the known rule for decision on public characters, and the ignorant seekers of office will become less troublesome in their solicitations. Give an honourable reward, which will command the service of your most distinguished citizens, to whatever department they are called. Such men have a character to lose; and ambition will unite

with every other consideration, to call forth their greatest exertions.

If this proposal doth not please, it is easy to change the system: for in every country, there are rogues and dunces in plenty, who will serve you at any price: but remember that the first will cheat you out of thousands, and the latter dissipate millions by their ignorance.

The compensations, determined by congress, are as small, as can possibly command the services of your best characters. A less sum, by throwing the execution of your government into unskilful hands, would have endangered the whole. The pay of the senate and commons, great as it may sound in the ears of some, is not, all circumstances being considered, extravagant. It is a prevalent idea, through the union, that these gentlemen shall hold no other office, under the empire or particular states. Most of them, to serve you, have relinquished lucrative employments—after the first year, congress will not probably be together more than fifty days in a year. Though your representatives be increased, the expense of a legislature will be much less, than the sums given by the several states, to support the members of the old congress*. Your whole civil list, in-

NOTE.

* I think the public mind must be easy on this subject, when it is understood, that the pay congress has allotted its members, is not greater than was allowed by the state assemblies to the members of the old congress—take the state of Connecticut for an example—the assembly of this state, until May 1787, allowed their delegates three dollars per diem, and their expenses. The expenses of the delegates were different, and from two to four dollars per diem—probably the average of expenses was three dollars, which, added to the compensation for services, makes the sum now given to the representatives. Since May 1787, the assembly of Connecticut have allowed five dollars per diem for service and expenses. The allowance, given by Connecticut, was much smaller than in most of the other states—I am informed that the average allowance, made, by the as-

cluding every department, would not half defray the household expenses of an European prince. The highest officers, in your judiciary, and revenue, have not a better provision, than grooms of the stable—noble keepers of hawks and hounds—and dependents, still more insignificant than those—receive in other nations from the hands of royalty. Useless officers are the vermin of a state: but some officers are necessary to its very existence. Let them be few as possible—but men of approved ability. Pay them well—make them responsible—and if, after this, any are unfaithful, demand what atonement you please—it will not be too severe.



Essay on the political advantages of America—By Noah Webster, Esq.
—Page 391.

ANOTHER circumstance, favourable to liberty, and peculiar to America, is a most liberal plan of ecclesiastical policy. Dr. Price has anticipated most of my observations on this head. If sound sense is to be found on earth, it is in his reasoning on this subject. The American constitutions are the most liberal in this particular, of any on earth; and yet some of them have retained some badges of bigotry. A profession of the christian religion is necessary in the states, to entitle a man to office. In some states, it is requisite to subscribe certain articles of faith. These

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semblies of the thirteen states, to their delegates, used to be eight dollars per diem—nearly one fourth more than the gentlemen have allowed themselves. The members might, then, if they pleased, take a year, and continue under pay the whole year; now, it will be but a small part of the year—then they might leave congress, when private business called them; now they are constrained by authority to be present, let their own concerns be ever so urgent—then they might, and actually did, hold offices of profit under their own states; now it is the popular sense they should not, and many, in consequence, have made a great sacrifice. These facts must justify the present compensation.

requisitions are the effect of the same abominable prejudices, that have enslaved the human mind in all countries; which alone have supported error and all absurdities in religion. If there are any human means of promoting a millennial state of society, the only means are a general diffusion of knowledge, and a free unlimited indulgence given to religious persuasions, without distinction and without preference. When this event takes place, and I believe it certainly will, the *best* religion will have the most advocates. Nothing checks the progress of truth, like human establishments. Christianity spread with rapidity, before the temporal powers interfered; but when the civil magistrate undertook to guard the truth from error, its progress was obstructed, the simplicity of the gospel was corrupted with human inventions, and the efforts of Christendom have not yet been able to bring it back to its primitive purity.

The American states have gone far in assisting the progress of truth; but they have stopped short of perfection. They ought to have given every honest citizen an equal right to enjoy his religion, and an equal title to all civil emoluments, without obliging him to tell his religion. Every interference of the civil power in regulating opinion, is an impious attempt to take the business of the Deity out of his own hands; and every preference given to any religious denomination, is so far slavery and bigotry. This is a blemish in our constitutions, reproachful in proportion to the light and knowledge of our legislators.

The general education of youth is an article in which the American states are superior to all nations. In Great Britain the arts and sciences are cultivated to perfection; but the instruction of the lowest classes of people is by no means equal to that of the American yeomanry. The institution of schools, particularly in the New-England states, where the poorest children are instructed in reading, writing and arithmetic, at the public expense, is a noble regulation, calculated to dignify the human species.

This institution is the necessary consequence of the genius of our governments; at the same time, it forms the firmest security of our liberties.

It is scarcely possible to reduce an enlightened people to civil or ecclesiastical tyranny. Deprive them of knowledge, and they sink almost insensibly in vassalage. Ignorance cramps the powers of the mind, at the same time that it blinds men to all their natural rights. Knowledge enlarges the understanding, and at the same time, it gives a spring to all the intellectual faculties, which direct the deliberations of the cabinet and the enterprizes of the field. A general diffusion of science is our best guard against the approaches of corruption, the prevalence of religious error, the intrigues of ambition, and against the open assaults of external foes.

In the southern states education is not so general. Gentlemen of fortune give their children a most liberal education; and no part of America produces greater lawyers, statesmen, and divines; but the body of the people are indifferently educated. In New-England, it is rare to find a person who cannot read and write; but, if I am rightly informed, the case is different in the southern states. The education, however, of the common people, in every part of America, is equal to that of any nation; and the southern states, where schools have been much neglected, are giving more encouragement to literature.

It is not my design to enumerate all the political and commercial advantages of this country; but only to mention some of the characteristic circumstances which distinguish America from all the kingdoms and states, of which we have any knowledge.

One further remark, however, which I cannot omit, is, that the people in America, are necessitated, by their local situation, to be more sensible and discerning, than nations which are limited in territory and confined to the arts of manufacture. In a populous country, where arts are carried to great perfection, the mechanics are obliged to labour constantly upon a single article. Every art has its several branches, one of which employs a man all his life. A man who makes heads of pins or springs of watches, spends his days in that manufacture, and never looks beyond it. This manner of fabricating things for the use and convenience of life, is

the means of perfecting the arts; but it cramps the human mind, by confining all its faculties to a point. In countries thinly inhabited, or where people live principally by agriculture, as in America, every man is in some measure an artist—he makes a variety of utensils, rough indeed, but such as will answer his purpose—he is a husbandman in summer, and a mechanic in winter—he travels about the country—he converses with a variety of professions—he reads public papers—he has access to a parish library—and thus becomes acquainted with history and politics; and every man in New-England is a theologian. This will always be the case in America, so long as there is a vast tract of fertile land to be cultivated, which will occasion emigrations from the states already settled. Knowledge is diffused and genius roused by the very situation of America. *Hartford, 1785.*

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Essay on free trade and finance.

—Page 193.—

THE use I mean to make of these observations, is, to prove from plain acknowledged facts, that the increased price of the articles, which I wish to tax, up to the utmost point to which I propose to raise them, will be but a light inconvenience, if any at all, to the people, and the diminished consumption of those articles, and the increase of circulating cash (both which will naturally and unavoidably result from the tax) will be benefits, which will at least compensate for the burden of the tax, and I think 'tis very plain, will leave a balance of advantage in favour of the tax. But if you should think I conclude too strongly, and you should not be able to go quite as far as me in this argument, so much, I think, does at least appear incontestible plain, that if there is a real disadvantage arising from my mode of taxing, 'tis so small, that it holds no comparison with the burden of tax hitherto in use on polls and estates, which discourages industry, oppresses the labourer, lessens the value of our lands, ruins our husbandry and manufactures, and, with all these dreary evils, cannot possibly be collected to half the amount which the public service requires;

but to save further argument on this head, I will with great assurance appeal to the sense and feelings of our farmers, who make the great bulk of our inhabitants, if they would not prefer living in a country, where they must pay the aforementioned increased prices on the goods I propose to tax, rather than where they must part with the same number of cows, oxen, sheep, bushels of wheat, or pounds of pork or beef, &c. which are now in the present mode of taxing, annually demanded of them to satisfy the tax. I dare make the same appeal to all our tradesmen, and even to our merchants, who, in my opinion, would have clear and decided advantages from my mode of taxing, as well as the farmers. I don't see how the merchant can be hurt by the tax; but will clearly be benefited by it, if the following particulars are observed.

I. That the tax be laid with such judgment and prudence, and different weight on different articles, that the consumption of no article shall be diminished by it, beyond what the good and true interest of the nation requires: for it is certainly better for the merchant to deal with his customers in such articles as are useful to them, and in such way as they shall derive real benefit from their trade with him, than to supply them with articles, that are useless and hurtful to them, and which of course impoverish them. In the first case, he will make his customers rich, and able to continue trading with him, and to make him good and punctual payments; in the other case, he makes his customers poor, and, of course, subjects himself to the danger of dilatory payments, or perhaps to a final loss of his debts.

II. That the tax be universal, and alike on every part of the country, for if one state is taxed, and its neighbour is not, the state that is taxed, will lose its trade. And

III. That the tax be universally collected. Smuggling hurts the fair trader: favour and connivance of collectors, to particular importers, through bribery, friendship, or indolence, have the same effect. The person, who avoids the tax, can undersell him who pays it: therefore 'tis the great interest of the merchant, when the duty is laid, to make it a

decided point, that every importer shall pay the duty, and I am of opinion, that when the body of merchants make it a decided matter to carry any point of this nature, they are very well able to accomplish it.

I now proceed to the consideration of the practicability of the mode of taxation, which I proposed, and which I do conceive is a matter of capital weight in this discussion, for which I do rely on these two grand propositions. 1st. That whatever is the real, great interest of the people, they may, by proper measures, be made to believe and adopt: and, 2dly. That whatever is admitted to be a matter of common and important interest, in the general opinion of the people, may be easily put in practice, by wisdom, prudence, and due management of the affair.

The reasons of governmental measures ought always to attend their publication, so far as to afford good means of conviction to the public at large, that their object and tendency is the public good. This greatly facilitates their execution and success.

To make taxes tolerable to the public, it is always necessary to spread a universal conviction,

1st. That the money required in taxes is necessary for the public good: and,

2dly. That it will certainly be actually expended only on the objects for which it is asked and given: and if these two things are really true, there will rarely be much difficulty in making them to be believed by the most sensible part of the commonwealth; but if these two things either are not really true, or not really and generally believed, I don't know that a standing army would be sufficient to collect the taxes. I am of opinion, their force, authority, and influence, like the conquests of the British army, would last no longer in any place than they staid to support it.

But if this mode of taxing, or any other that may be adopted, should not be sufficient for the public service, I could with the deficiency might be made up at home, without recurring to the ruinous mode of supplies by public loans abroad. I think that every light in which this subject can be viewed, will afford an argument

against it. I have known this cogent argument used in favour of foreign loans, viz. We give but five per cent. interest abroad, and our people can make ten per cent. advantage of the money at home, therefore they gain five per cent. by the loan. This stupid argument, if it proves any thing, just proves that 'tis every man's interest to borrow money, for 'tis certainly profitable to buy any thing for five pounds which will bring ten; but the natural fact is the very reverse of this, for if you bring money into a kingdom or family, which is not the proceeds of industry, it will naturally lessen the industry, and increase the expenses of it. It has been often observed, that when a person gains any sudden acquisition of wealth by treasure trove, captures at sea, drawing a high prize in a lottery, or any other way not connected with industry, he is rarely known to keep it long, but soon dissipates it. The sensible value of money is lost, when the idea of it becomes disconnected with the labour and pain of earning it; and expenses will naturally increase where there is plenty of wealth to support them. The effect is the same on a nation. Is Spain richer by means of the mines of South America? The industry of Holland has proved a much more sure source of durable wealth. We already find a dangerous excess of luxury growing out of our borrowed money, and our industry, (especially in procuring supplies of our own,) wants great animation. Besides, the *aforsaid* argument is not grounded on fact; 'tis true, I suppose, that we pay but five per cent. interest on our foreign loans, but they cost us from fifteen to twenty per cent. more to get them home, for that is at least the discount which has been made on the sale of our bills for several years past, and if we bring them over in cash, there are freight and insurance to be paid, which increase the loss. From this it appears, that for every eighty pounds of supply which we obtain in this way, we must pay at least an hundred pounds, (even if we were to pay the principal at the end of the year,) and the consuming worm of five per cent. interest every year after, if the payment is delayed: to this loss, is to be added, all the expense of negoci-

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ating the loans abroad, brokerage on sale of the bills, &c. &c.

To escape the ruinous effects of this mode of supply, I think every exertion should be made to obtain our supplies at home; 'tis certainly very plain our country is not exhausted; 'tis full of every kind of supply which we need, and nothing further can be necessary, than to find those avenues from the sources of wealth in the hands of individuals, which lead into the public treasury, those ways and proportions that are most just, most equal, and most easy to the people. This is the first great art of finance: that of economy in expenditures, is the next. Any body may receive money, and pay it out; borrow money, and draw bills; but to raise and manage the internal revenue, so as to make the wealth of the country balance the public expenditures, is not so easy a task; but yet I think not so hard as to be impracticable; unless this can be done, the greatest conceivable abilities must labour in vain, for 'tis naturally impossible that any estate, which cannot pay its expenditures, should continue long without embarrassment and diminution; the load of debt must continually increase, and the interest will make a continual addition to that debt, and render the estate more and more unable every year to clear itself; but if the estate can pay its expenditures, 'tis the height of madness not to do it. If revenues can be spared sufficient to discharge the interest of the debt, so as to stop its increase, the estate may be saved, and a future increase of revenue may in time wipe off the principal; but no hope is left, if interest upon interest must continue to accumulate. And as the interest of every individual is inseparably connected with the public credit, or state of the finances, it follows that this affair becomes a matter of the utmost concern, and of very important moment to every person in the community, and therefore ought to be attended to as a matter of the highest national concern; and no burden ought to be accounted too heavy, which is sufficient to remedy so great a mischief.

The mode of supply by foreign loans need not be further reprobated; 'tis plain to every body, that if they

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can be continued, (which is doubtful, they will soon involve us in a foreign debt, vastly beyond all possibility of payment: our bankruptcy must ensue; and by our bankruptcy we shall lose all our national character of wisdom, integrity, energy of government, and every kind of respectability. We shall become objects of obloquy—buts of insult—and bye words of disgrace abroad: an American in Europe will be ashamed to tell where he came from. Every stranger takes some share in the character, the honours or disgrace, not only of the family, but of the nation to which he belongs.

Philadelphia, March 24, 1783.



Statement of facts submitted to the dispassionate consideration of the independent freeholders of Virginia, by a friend to truth and liberty.—Page 116.

Draft of a letter to the several states.

“WE beg leave to submit to your consideration, a copy of our answer to the circular letter from the convention of our sister state of New-York, and also the copy of an address, which we think it our duty to make to the congress, at their first meeting. We flatter ourselves that you will not hesitate in making a similar application, the object being to establish our rights and liberties on the most immutable basis. May God have you in his holy keeping.”

It passed in the negative. Ayes 50.—Noes 72.

And then the main question being put, that the house do agree with the committee of the whole house, in the application and draft of letters, by them reported;

It was resolved in the affirmative.

Ordered, that mr. Bullitt do carry the said application and draft of letters, to the senate, and desire their concurrence.

FROM the foregoing extracts, from the journal of the house of delegates, it will appear, that the majority and minority have differed only in the mode of pursuing amendments—it becomes the public to determine whose conduct has been the most temperate, consistent, and dignified, and best adapted to the attainment of the great end—the amendments which we

all think necessary. To take a full view of the subject, it will be proper to recur to the resolutions, introduced into the house of delegates, by mr. Henry, and which were sanctioned by their approbation*. To a dispassionate enquirer, it must appear strange, that a man of such great endowments should suffer himself to be led so far from the bounds of moderation, into the violent expressions therein contained; and, under the pretext of using the bold language of republicanism, so far forget the proper demeanor of a good citizen, as to criminate, in the strongest terms, the conduct of the people themselves, in full and free convention assembled, by accusing them of having assented to a government, which, “if it does not cancel, renders insecure all the great, essential, and unalienable rights of freemen.” How hasty and ungrounded such aspersions are, a candid attention to the conduct of that august body must bring to the view of every friend to truth, to decorum, and to the peace and happiness of his country. But however strange his conduct may appear, it may be accounted for from human frailty; accustomed to govern the counsels of his country, unused to any controul, and habituated to see his political opinions triumph over all opposition—the check which he experienced in the convention, composed of our best and most illustrious citizens, may have wounded his ambition and soured his temper. But that a majority of the legislature, chosen about the same time, at which the convention was elected, and for very different purposes, should concur in such measures, is wholly inexplicable on any rational or justifiable principle; and furnishes a melancholy proof of the unbounded influence of an individual, who, to use the mildest terms, may be as liable to error as other men. To accuse the legislature of an intention wantonly to insult the people, is what I am unwilling to do; but I must say, that they have been fatally misled from the line of their duty, and the dignified manner

NOTE.

* These resolutions passed the 30th of October, and are contained in the preceding part of this statement.

which ought to have characterised their proceedings, into measures which seem with the virulence of party spirit, instead of being animated with the noble and generous zeal of an enlightened people, knowing their rights, and conscious of their freedom.

It is true, that the legislature had a right to exercise the power vested in them by the constitution, to apply to congress to call another general convention. But they ought to have exercised this right with decency and respect; and not to have endeavoured to stain the character of a convention, chosen by the people, with unusual solemnity and circumspection, and composed of the best and wisest patriots of our country. They ought to have reflected, that this convention was elected in the month of March for a special and solemn purpose; and they, in the April following, for the ordinary objects of legislation. The convention having determined on the subject, which was specially and exclusively committed to their decision—the legislature ought, with modest propriety, to have confined their attention to the legitimate objects of their appointment. But how do they act? They no sooner assemble, than they undertake to arraign the conduct of this august assembly—an assembly which embraced the collected wisdom, experience, and patriotism of our country. These men—of the most unblemished characters,—of long-tryed virtue,—and acknowledged abilities, are accused of treason against their country—of having sacrificed “all the great, essential, and unalienable rights of freemen;” and an ordinary legislature, “clothed with a little brief authority,” dares say this. My countrymen, what an insult to your understandings!

I have said, that the legislature possesses a power to apply to congress, whenever they may think it necessary, to call a convention. But they ought to exercise this right, with propriety and dignity; and not to convert it into a dagger, to stab the peace of their country; or use it, as the vehicle of private resentment or party virulence. This power seems to have been wisely vested by the constitution in the legislature, to provide for the occasional admission of such amend-

ments, as experience—the great guide in human affairs—should point out to be necessary. It never, therefore, could have been the expectation of its framers, or of our convention which ratified it, that any attempt would be made to exercise this power, before we had actually experienced the defects of the government from its operation. If our state convention had thought another general convention necessary, to introduce the amendments, which they had suggested, it would have been as easy for them, to have recommended to our legislature, and to the legislatures of the other states, to apply to congress, as soon as it should assemble, for another convention, as to have expressed themselves in the terms they have used. But they recollected, that there was another way of amending the constitution, viz. “The * congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, which shall be valid, to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states.” They therefore were of opinion, that they did enough, in solemnly enjoining it on our representatives in congress, “to pursue all reasonable and legal methods to obtain a ratification of the alterations and provisions, which they deemed proper.” They saw the impropriety of perpetual conventions. They saw the danger, in the present ferment of men’s minds, of collecting the violent and discordant opinions of America to a point; whence the most fatal dissensions might spread over our country, and not only cut off our present hopes, but obliterate all future prospects of happiness and safety. Under these impressions, they very prudently determined, that a resort to an extraordinary assembly, would be as unwise as it was unnecessary. They reflected, that congress was vested with powers fully adequate to the object of their wishes, and being chosen by the people themselves, would feel the strongest obligations, of duty and interest, to pursue every

NOTE.

* 5th article of federal constitution.

measure, which tended to the greater security of our liberties, and the restoration of general confidence. They asked themselves these simple questions:—cannot the people send as virtuous and wise men to the congress, as to a convention? And if congress be composed of virtuous and wise men, will they not be as fit to be trusted as a convention? And if deserving of equal confidence, will it not prevent delay, save expenses, and avoid the danger of civil feuds, to submit the consideration of our amendments to congress? Congress can transmit to the legislatures of the several states, at their next sessions, such amendments as the collected wisdom of America shall determine to be proper. The legislatures will ratify, and the public confidence be re-established. If this reasoning be natural, just, and conclusive—was there any necessity for the assembly, in November, to vary from the measures of the convention, in June?—It is true, indeed, that since June, the convention of New York has solicited another general convention. But shall the opinion of the convention of another state be regarded more than that of our own? Our people, in convention assembled, thought another general convention unnecessary, if not dangerous. The people in the other states of the union, through their conventions, expressed similar sentiments. And such of their legislatures, as have assembled, have spoken the same language. Because one state requested a convention, was it prudent in us to indulge them in a measure, which might prove fatal to our concord, if not to our safety? As much as I respect the state of New York, I think, on this occasion, we have carried our politeness to an unjustifiable extent. The minority, however, were willing to go as far as the convention had gone:—they were willing to go further—to desire congress, to call a convention, if, on a view of all circumstances, they should deem it necessary. But, to repeat it, if nothing could satisfy the majority, but an application for a convention, what necessity was there to insult our own convention, and our sister states, by declaring that they had adopted a government, which cancelled all the great, essential, and

unalienable rights of freemen? It was wantonness in the extreme:—it derogated from the character of our country; it scandalised the cause of amendments; and might eventually injure it, if the magnanimity of our sister states did not supercede resentment for so ungenerous a wound. It looked more like the impotent revenge of a disappointed party—than the noble and manly effort of freemen.



An account of the origin, progress, and regulations, with a description of the newly established bridewell, or penitentiary-house, at Wymondham, in Norfolk. By sir Thomas Beevor, bart. addressed to the secretary of the Bath society. —Page 226.

A TABLE OF DIET.

<i>Breakfast.</i>		<i>Dinner.</i>
Sun.	A penny loaf.	Hanway's soups of ox-cheek, &c.
Mon.	do.	a 1d. loaf.
Tues.	do.	potatoes.
Wed.	do.	boiled pease.
Thurs.	do.	a penny loaf.
Fri.	do.	potatoes.
Sat.	do.	boiled pease.

LETTER III.

Description of the prison.

Hethel, Feb. 12, 1786.

SIR,

IN compliance with your request, I now transmit you a description of the prison which has been erected at Wymondham, in this county, the success of which has so much exceeded the expectations, and so fully answered the wishes of the gentlemen here, as to encourage them to alter, and make additions to all the other bridewells within their jurisdiction, and to put each of them under the same regulations.

The new buildings, of the Wymondham bridewell, added to the former old house (which is now appropriated to the use of the governor) consist of two wings, which are attached to the old house, and joined by a building in front, containing a large room, in which is placed a mill for cutting logwood, or any other wood for the use of dyers, and for beating hemp; together with a stable and store-rooms, for lodging the materials, used by the pri-

soners in their work. The whole of these buildings form a quadrangle, enclosing an area, or yard, of about eighty feet by seventy feet; in which some of the prisoners are allowed, occasionally, to take the air. In the two wings only (to both of which there is a passage from the governor's house) are the offenders confined; and in each of them there are on the ground floor seven separate rooms, or cells, for the men-prisoners, of fourteen feet eight inches by seven feet four inches, with a work-room of twenty feet six inches, by ten feet.

On the floor above, which is chiefly used for the women and less dangerous prisoners, are, in each wing, four separate rooms, or cells, of the same dimensions with those below; with a work-room to each wing, the same as on the ground-floor; together with an infirmary, of ten feet six inches by fourteen feet eight inches, and a scullery, closet, and necessary to each. The cells, both above and below, are all arched, to prevent the possibility of fire, or any probable communication of infectious disorders. They are all ten feet high; and the windows of these rooms, looking into the quadrangle, and being grated, inside and outside, with iron, and seven feet high from the floor of the rooms, afford the prisoners no possibility of looking out, or having the least intercourse with any other person. The cells are airy, having only wooden shutters to the windows; and, by a slip or wicket in the doors, a thorough air is admitted, whereby they are always free from any ill scent.—

This is, however, with an exception to one cell on the upper floor, in each wing, and to the infirmaries; for the windows of these are glazed, and have casements to open occasionally; being mostly kept for the use of women, having infant children with them, and for the weak and convalescent prisoners. But as the construction of this building, would little answer the purpose of its erection, without a correspondent management and conduct, in the interior government of it, good care has been taken, to enforce the rules, orders, and regulations established; and returns are regularly made by the governor, to the justices, at every quarter sessions.

The manufactory established here at present, is that of cutting logwood for the dyers at Norwich, and beating, heckling, and spinning hemp. In the labour of heckling, a tolerable workman will earn from eight to ten shillings per week. The women and girls spin it by a wheel so contrived as to draw a thread with each hand; by which means, two of them can earn at least equal wages with three women, spinning with one hand only. If the building should be enlarged, and the number of prisoners increase, some of them will then be instructed in the art of weaving the yarn made in the house. At present, both the tow and the yarn is sold to the different houses of industry, established in this county, and at Norwich. In the last return of the governor, to the quarter sessions, we had the satisfaction to find, **THAT THE MONEY ARISING FROM THE EARNINGS OF THE PRISONERS, WAS ONE POUND EIGHT SHILLINGS AND TEN PENCE MORE THAN DOUBLE THE SUM EXPENDED FOR THEIR MAINTENANCE.**

This, though it cannot be deemed more than a secondary consideration, is surely no trifling one—to derive a profit from the labour of such persons, as were heretofore lost to, or become a burden upon the public; and it strongly marks the impolicy of sending these unhappy objects out of the kingdom. This sum indeed was further increased about five guineas, by adding to it the profit from the trade account; but as to have this become the general result, must depend greatly, perhaps chiefly, upon the choice of the governor, and somewhat on the activity of the magistrates; too much care cannot be taken in the first, especially as it will be the probable means of exciting the latter. We have been so fortunate, as to meet with a governor, who relieves us from a great part of our attention to, and direction of him.

The silence and peaceable demeanour, the cleanliness and industry, of those unhappy persons who are the inhabitants of this house, are really admirable; and such as greatly encourages the pleasing expectation, that **THEIR PUNISHMENT WILL HAVE**

THAT EFFECT UPON THEIR FUTURE LIVES AND CONDUCT, WHICH EVERY HUMANE AND BENEVOLENT MIND MUST SINCERELY WISH FOR. And they leave me without a doubt, that bridewells, with proper attention paid to them, may in future be made *seminaries of industry and reformation, instead of receptacles of idleness and corruption.* To effect these purposes, it will be necessary to provide the prisoners with suitable and constant work. This, in most counties, will necessarily vary: but may be easily obtained, especially if, by an allowance to the governor, out of their earnings, it be made his interest, as well as his duty, to look carefully to the performance of it. The allowance, given at this house, is, three pence in every shilling of the net earnings; and this is considered as a part of his salary.

I must not omit to inform you, that in this solitary confinement, and thus employed, *it has not yet been found necessary to punish any of the prisoners with irons;* and that, since the new erection and regulation of this prison, the magistrates in the vicinity, as well as the keeper of it, have observed, *that in no equal period of time, has there been so few commitments to it.*

This preventive justice, so preferable to punitive justice, most fully evinces the propriety and humanity of the undertaking, and must naturally excite a hope, that similar plans will be adopted in every county. This, indeed, I am strongly induced to believe, will soon be the case, as I have already received letters from different gentlemen in Gloucestershire, Oxfordshire, Wilts, Hertfordshire, Hampshire, Yorkshire, Lancashire, Suffolk, Wales, and Scotland, requesting the plan, rules, orders, table of diet, and returns; informing me, that in their respective counties, they had determined upon building, and putting their houses of correction under similar regulations. The gentlemen of the city of Norwich have also sent a deputation of their magistrates to view the prison; upon whose report, they mean instantly to enter upon a reformation of their own prisons.

THOMAS BEEVOR.

[N. B. In another letter, dated

February 18th, sir Thomas Beevor has added the following remarks:

"In proof of the cleanliness and healthiness of this prison, no person who entered it in health, has hitherto fallen sick in it. I have never had any complaint against any one for immorality or prophaneness. The effect of the solitariness and mechanical regularity of the place is such, as to render them so contrite and subdued, that it not only promises *fair for a lasting reformation in these poor unfortunate wretches, but, what is a still better and more pleasing consideration, that it may prove a preventive of crimes in others.* For, from an examination of the commitments to this house, before and since the present regulation took place, it appears, that one-third fewer have been confined in it, since the latter period; and it is somewhat remarkable, that, except in one instance, no prisoner has been second a time committed to it."

PUBLIC PAPERS.

The general assembly of the state of Rhode Island and Providence plantations,

To the president, the senate, and the house of representatives of the eleven united states of America, in congress assembled.

THE critical situation, in which the people of this state are placed, engages us to make these assurances on their behalf, of their attachment and friendship to their sister states—and of their disposition to cultivate mutual harmony and friendly intercourse. They know themselves to be but a handful, comparatively viewed; and although they now stand, as it were, alone, they have not separated themselves, or departed from the principles of the confederation, which was formed by the sister states in their struggle for freedom, and in the hour of danger.

They seek, by this memorial, to call to your remembrance the hazards which we have run—the hardships we have endured—the treasure we have spent—and the blood we have lost together, in one common cause—and especially the object we had in view—the preservation of our liberty—where-

in, ability considered, they may truly say, they were equal in exertions with the foremost—the effects whereof, in great embarrassments and other distresses consequent thereon, we have since experienced with severity—which common sufferings and common danger, we hope and trust, yet form a bond of union and friendship, not easily to be broken.

Our not having acceded to, or adopted, the new system of government, formed and adopted by most of our sister states, we doubt not, has given uneasiness to them—that we have not seen our way clear to do it, consistent with our idea of the principles upon which we all embarked together, has also given pain to us—we have not doubted but we might thereby avoid present difficulties, but we have apprehended future mischiefs.

The people of this state, from its first settlement, have been accustomed and strongly attached to a democratical form of government. They have viewed, in the new constitution, an approach, though perhaps but small, towards that form of government from which we have lately dissolved our connexion, at so much hazard and expense of life and treasure. They have seen with pleasure the administration thereof, from the most important trust downwards, committed to men who have highly merited, and in whom the people of the united states place unbounded confidence:—yet even in this circumstance, in itself so fortunate, they have apprehended danger, by way of precedent. Can it be thought strange, then, that with these impressions, they should wait to see the proposed system organized and in operation—to see what further checks and securities would be agreed to and established by way of amendments, before they could adopt it as a constitution of government for themselves and their posterity? These amendments, we believe, have already afforded some relief and satisfaction to the minds of the people of this state. And we earnestly look for the time, when they may, with clearness and safety, again, be united with their sister states, under a constitution and form of government, so well poised as neither to need alteration, or be liable thereto by a majority only of nine states out of thirteen—a circum-

stance which may possibly take place, against the sense of a majority of the people of the united states.

We are sensible of the extremes to which democratical government is sometimes liable—something of which we have lately experienced: but we esteem them temporary and partial evils, compared with the loss of liberty and the rights of a free people—neither do we apprehend they will be marked with severity by our sister states, when it is considered, that, during the late troubles, the whole united states, notwithstanding their joint wisdom and efforts, fell into the like misfortune:—that from our extraordinary exertions, this state was left in a situation nearly as embarrassing as that during the war;—that in the measures which were adopted, government unfortunately had not that aid and support from the monied interest, which our sister states of New York and the Carolinas experienced under similar circumstances; and especially when it is considered, that upon some abatement of that fermentation in the minds of the people, which is so common in the collision of sentiment and of parties, a disposition appears to provide a remedy for the difficulties we have laboured under on that account.

We are induced to hope, that we shall not be altogether considered as foreigners, having no particular affinity or connexion with the united states. But that trade and commerce, upon which the prosperity of this state much depends, will be preserved as free and open between this and the united states, as our different situations at present can possibly admit; earnestly desiring and proposing to adopt such commercial regulations, on our part, as shall not tend to defeat the collection of the revenue of the united states—but rather to act in conformity to, or to co-operate therewith; and desiring also to give the strongest assurances, that we shall, during our present situation, use our utmost endeavours to be in preparation, from time to time, to answer our proportion of such part of the interest or principal of the foreign and domestic debt, as the united states shall judge expedient to pay and discharge.

We feel ourselves attached by the strongest ties of friendship, kindred,

and interest with our sister states; and we cannot, without the greatest reluctance, look to any other quarter for those advantages of commercial intercourse, which we conceive to be natural and reciprocal between them and us.

September, 1789.

An address of the ministers of the state of Connecticut, convened in general association, to the people of the churches and societies, under their pastoral care:

Friends and brethren,

AMONG the various instances of declension and immorality, which at the present time, threaten the very existence of religion in this country, an increasing negligence of the public worship of God, is one of the most painful and alarming.

Deeply affected with the guilt of this conduct, and clearly convinced of the fatal consequences necessarily involved in it, this association esteem it their indispensable duty to bear their united testimony against so pernicious an evil.

The sabbath is solemnly declared by our Creator to be peculiarly the day, and the sanctuary to be eminently the place, of salvation. To the truth of this declaration, reason and experience, whose dictates uniformly coincide with the doctrines of revelation, furnish continual and unanswerable evidence. Where the public worship of God is neglected, God himself is soon forgotten, and the work of salvation obstructed. For specimens of this calamity, we need not look into remote regions or ages: they are at our doors. In how great and melancholy a degree is it visible among the present inhabitants of this state? We request—we exhort you to consider the consequences of this conduct. Is the salvation of the soul less interesting to you, than to those who have gone before you? And can you coolly and quietly consent to renounce eternal life? Or have you forgotten, that your Maker has commanded, that, if you intend to hear his voice at all, you should not harden your hearts on his holy day?

In what manner will these evils affect your children? Their religious education is the prime end for which they were given to you, and for which

you were given to them. But does not common sense convincingly teach you, that this end cannot be possibly accomplished, where the influence of sinful example destroys the force of every virtuous precept and motive? How can the parents, who turn their own backs upon their Creator, urge, or invite their children to the arms of his mercy? Self-reproved, and self-condemned, must not their countenances blush, and their hearts fail, before the meaning eyes of their innocent children, from whom they know their inconsistency and guilt cannot be hidden?

In what manner does this evil affect the political interests—the essential well-being of the community? All the branches of morality are indissolubly connected. From one breach of moral obligation to a second, to a third, and to all, the transition is easy, necessary and rapid. From negligence of the duties we owe to God, the passage is short to contempt for those we owe to men. The sabbath, in the judgment of reason and of revelation, is the great hinge on which all these duties are turned. When the ordinances of this holy day are forsaken and forgotten, the whole system of moral duty, the weight and influence of moral obligation, must of course be also forgotten; the great, the substantial, and the permanent good, of which religion is the only source, is effectually destroyed. The political peace and welfare of a community, the salvation of the human soul, the infinitely benevolent designs of redeeming love, the institution of the means of grace, and the obedience and sufferings of the Son of God, are frustrated and set at nought. Thus by one effectual blow of sin, and the friends of sin, are all the great and valuable interests of mankind overthrown.

Shall these evils exist, and triumph in our own country?

Let us seriously exhort—let us earnestly conjure you, our beloved friends and brethren, to think, to consider, and to determine, how, at the bar of your own consciences, and before the tribunal of your Maker, you will answer for the guilt of being personally concerned, in the promotion of those evils!

That the author of our holy religion

may give you light, repentance, and reformation, and multiply to you grace, mercy, and peace, is the humble and fervent prayer of your brethren in Christ Jesus.

Voted unanimously in general association, Hartford, June 18, 1788.

NATH. TAYLOR, *moderator.*

Test. Cyprian Strong, *scribe.*



Address delivered at the national assembly of France, on the 7th of September, 1789, by certain female citizens, who came to make an offering of their jewels and other ornaments, as a voluntary contribution towards the discharge of the public debts.

Messeigneurs,

THE regeneration of the state is a work committed to the national representatives.

The liberation of the state should be the care of every good citizen.

In order to enable the senate to fulfil a vow, that was made by Camillus to Apollo, before the capture of Vieu, the Roman ladies made a voluntary offering of their ornaments to the republic.

But no vows can be more sacred than engagements contracted with the creditors of the state. The public debt should be scrupulously discharged: but the means should be rendered easy to the people.

It is in that view, that several citizens, wives or daughters of artists, come to offer to this august national assembly, those ornaments, which they would blush to wear, when patriotism bids them sacrifice them to the public good. What woman is there, worthy the title of citizen, who would not prefer, to the insipid parade of vanity, the inexpressible pleasure of converting the ornaments of her person to so excellent a purpose?

Our offering is, no doubt, of small value; for among the votaries of the fine arts, glory, rather than riches, is the pursuit: our offering is in proportion to our means—but not to the sentiments that animate our breasts.

May our example be followed by many citizens of either sex, whose circumstances are far more opulent than ours! and our example will, mes-

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seigneurs, be followed, if you will but deign graciously to accept—if you will procure the facility of making—voluntary contributions—by establishing, from this moment, a bank, for the sole purpose of receiving patriotic gifts, in money or jewels, to be invariably applied to the discharge of the national debt.

Reply of the president of the national assembly.

THE national assembly beholds, with infinite satisfaction, your generous sacrifice, which emanates from motives of true patriotism.

May the noble example which you offer us, at this present moment, communicate to all ranks of citizens the heroic sentiment from which it proceeds, and may it find as great a number of imitators, as it does admirers!

You are far more adorned by your virtues, than you could be by the precious ornaments, which you sacrifice to the good of your country. The national assembly will take into consideration the plan which you propose, with all the warmth which it inspires.

A true copy. Signed,

HENRY DE LONGEVILLE,
sec. nat. assembly.



Letter from the king of Sweden to baron Stedingk.

"Dear general,

"FOR so you are—enclosed is the commission of your promotion—continue to merit honours, and you shall have them.

"It is the duty of good kings to patronize good subjects. Thus far, my duty is my interest—it is also my inclination. Thine,

"GUSTAVUS."



RURAL CONCERNS.

Letter on the use of plaster of Paris, as a manure. From George Logan, esq. to the Philadelphia county society for the promotion of agriculture and domestic manufactures.—P. 401.

IT is generally allowed, that gypsum is principally composed of calcareous earth, but it is not so well
3 N

ascertained, with what substance it is united, which prevents it from having the power of quick lime, when burnt. Regarding calcareous earth as forming the basis of this substance, it may be necessary to take notice of the different forms under which calcareous earths appear.

That which is in the greatest quantity, and properly called calcareous, is distinguished from the rest by the effect which fire has upon it, in converting it into a quick lime; all others should rather be termed alkaline absorbents. Calcareous earth appears in a variety of forms; there are very considerable strata of it in the bowels of the earth, as marble, limestone, and chalk, which differ only in the degree of purity or mode of concretion.

It is often found in veins, filling up the rents or cavities of mountains, and is called calcareous spar: some of which contain a quantity of this earth, but not in a pure state: some are perfectly transparent; and from being found in Iceland, are called Iceland crystals.

The matter with which animal and vegetable substances are incruited, or penetrated by the waters of particular springs, so as to retain their external form, but lose their nature, and become stone, is generally of this kind; and shews that this earth is capable of being dissolved by water, and being introduced into the texture of animal and vegetable substances. This earth also produces the large pendulous columns and cones that are found hanging from the roofs of large caves, as in Derbyshire.

The stony shells of all crustaceous animals, from the coarsest, to the coral and pearl, are all composed of this earth, and a small quantity of animal glue. A viscid fluid proceeds from the surface of the animal, which becomes a tough membrane, and gradually hardens into this form. The shells of all kinds of animals, together with all coralline concretions, consist of the calcareous earth, united with a small proportion of animal glue.

Marl is an alkaline earth, but cannot be converted to quick lime: it is composed of calcareous earth and clay: and its value, as a manure, is estimat-

ed in proportion to the quantity of calcareous earth which it contains. Marls assume a variety of colours, but are properly divided into shell and stone marl.

Shell marl is composed of the shells of shell fish, or other aquatic animals, which are sometimes entire, and often decayed or mixed with other earthy substances.

Examining this matter, as occurring in different places, it may be distinguished into fresh water marl and the marl of sea-shells. The first is composed of a small fresh water wick or snail: this animal, when alive, is not easily discoverable, the shell being much of the same colour as the stones covered with the water: but great numbers of them are to be found in many small brooks, particularly in their passage through the low wet grounds: as the animal dies, the shell is deposited.

The second, composed of sea-shells, constitutes much greater collections, and is found in innumerable places now far removed from the sea. That, most particularly described by naturalists, is a collection of this kind in Touraine, a province in France. The part of the country, where it is found, is computed to contain eighty square miles of surface; and wherever they dig to a certain depth, they find this collection of shells, composing a strata of twenty feet thick. The country at present is one hundred and eight miles from the sea.

The stone or clay marls bear more or less resemblance to clay; they are very various in their colour, and other appearances, but agree in containing a quantity of clay united with calcareous earth, so as to effervesce with acids—the stone marls are harder than the clays, but upon being exposed to the action of the sun and frost, they crumble into powder, which is easily mixed with the soil, though some of them require a very long time before they are divided fine enough to be mixed completely with it.

These are the principal forms in which calcareous earth is found. They all derive their origin from the calcareous matter of shells; for we find relics of shells in by far the greatest number of limestones, chalks, gypsums, and marbles.

From the natural history of these fossils, and their effects in promoting vegetation, we may conclude that they contain in themselves a certain nourishment to plants, arising from a concentration of the animal glue existing in their original state of shell-fish;

Too much pains cannot be taken to engage our farmers generally in the use of these valuable manures.

I am, gentlemen,

With great respect,

Your friend,

GEORGE LOGAN.

Stenton, October 3, 1789.

Read before the Society, October 4th, 1789.



Directions for the breeding and management of silk worms. Extracted from the treatises of abbe Boissier de Sauvages and Pulein: and published, anno 1770, by order of the Philadelphia Society for promoting the culture of silk.—Page 304.

4. **H**ITHERTO you have been directed, in feeding the worms, to cut or shred the leaves into pieces, in proportion to the size of the worms; but now, they are so grown, and they eat so much, that this caution is no longer necessary, and would be fatiguing. Give them the leaves, whole as they are, plucked from the trees, only remembering, as directed in the 12th article of the former section, to serve them, at first after moulting, with the youngest and tenderest leaves you have, and take care that their food be not wet. The quantity given them, should always be gradually increased from day to day, after each moulting, as has been already observed, till their appetite is come to its height: during this voracious period, in the fifth age, they devour twice as much food as in all the other ages put together. At this time, their food should consist of leaves that have got their full growth, but are not yet begun to turn hard and husky.

5. Silk worms are liable to be sickly, and it may be thought of importance to give a description of their diseases; but they are much more easily prevented than cured; and to describe a distemper, without pointing out a method of cure, would be to little purpose. If the worms are kept clean, are not

crowded too much together, are properly fed, and secured against the pernicious effects of a close damp air, and a stifled heat; there is no great danger of their being visited with any kind of sickness: during the fourth and fifth ages, especially, it is of importance to guard against this last inconvenience, a stifled heat, which has been already so frequently mentioned. These last ages usually fall in with the beginning heats of summer, when sudden changes are to be expected in the state of the air, and in the weather, which therefore should now be narrowly watched. If the air be damp, it is easily discovered; but that state which I have so often called a stifled heat, can only be perceived by your own feeling. In either of these cases, the unfriendly disposition of the air is easily corrected, and, in both cases, by the same means. A few dry faggots, or a wisp of straw, kindled into a blaze in every corner of the room, will, in a few minutes, restore to your brood a dry and a freely circulating fresh air. And this is all that is necessary; for as to the actual degrees of heat, which are indicated by the thermometer, they may at all times, and without danger, be disregarded: except when the weather is too cool; in which case, you must keep up a due warmth of the air in your nursery, by means of a steady fire. And, in general, it is advisable to keep a constant fire in rainy weather. But here it is necessary to remind the reader, that I take it for granted, his nursery has every requisite mentioned in the sixth article of the fourth section; particularly, a high ceiling with a trap door, or some other equivalent opening, over head, to keep up a free circulation of air: without this precaution, a fire would do more harm than good.

6. If it should happen, notwithstanding all your care, that your brood continues to languish in a state of relaxation, which tarnishes their colour, makes their skin unelastic, and destroys their appetite; there is one remedy left, which has sometimes been found to do wonders. This remedy is the cold bath. Take your worms by handfuls and throw them into keelers or other vessels of cold water; let them lie a minute or two, and then, after sweeping their tables clean, re-

place them in their births as before.*

This process is not attended with the danger which is always to be feared from a moist air. That creates a relaxation, at the same time that it checks the perspiration: but the cold bath gives a new tone to the fibres, and then it will be easy, by means of a small brisk fire, to excite in your worms a fresh appetite, and thus restore them to life and vigour.

7. If you have not a sufficient provision of food for the whole brood which you propose to raise, your labour will be thrown away. The necessary proportion should therefore be known before-hand. It has been already observed, that, with good management, the worms that are bred from one ounce of eggs will yield one hundred weight of cocoons; and it is found, in general, that, to raise one pound of cocoons, will require twenty pounds of leaves. It is not easy to give any very exact rules for estimating the quantity of leaves upon a tree as it stands; and yet this is the only way in which you can, before-hand, ascertain the question, whether or no you have, in prospect, a sufficient provision. The skill of making this estimate can only be acquired by habit and experience.

8. You must be careful, at all times, to guard your brood against the ravages of rats and mice. Cats and traps will hardly be a sufficient security. A wisp of cotton or two, bound round every post, a little below the under tier of tables, and paid over now and then with pitch and tar, may prove a barrier which those vermin will not be able to pass.

SECTION VI.

Directions how to manage, when the worms are ready for spinning.

1. THE voracity of the silk worm, in the fifth age, continues three or four days; in which time the worm arrives at his utmost growth, being in length above three inches. His skin

NOTE.

* In Georgia, when the worms appear to be sickly, they close the room, and burn some brown sugar, on clear live hickory coals, in several parts of the room. This is said to be a good remedy.

can be distended no farther, his appetite declines, he acquires, towards the head, a degree of transparency; he once more quits his food and the litter, and runs about, with his head erect, seeking a proper place to begin his task of spinning.

2. As soon as you discover this behaviour in any considerable number, stop feeding, and prepare to furnish your brood with convenient lodgements, for the work which they are about to undertake. Begin at one end of the lower tier of tables; clear away the litter, from side to side, as far as to the middle of the second board, first moving the worms, that were spread upon this space, either to the right or left, upon those that lie on the next adjoining space of the table. Then plant a little hedge-row of small bushes, from side to side, across the table; fixing the foot of each bush upon the lower inter-tie, and the top against the under side of the next inter-tie above. These bushes, or branches, you must have in readiness before-hand. The foot should be stripped or pared smooth to the height of four or five inches; and the main stalk should be left a little longer than the twigs that shoot out from it, in order that, in fixing the bush, the top may be a little bent, and so, pressing against the upper inter-tie, may stand firm and steady. When you have completed one row of these bushes, quite across the table, bring back the worms, and place them along in a range, on each side of your little hedge-row, in order that they may climb up and spin. Then clear away another space; plant another hedge, &c. proceeding thus, till you have gone over all the tables. All this must be done with as much dispatch as possible; for if your brood is not accommodated with a proper retreat, as soon as they are ready to go to work, the fibres of the skin, which is now extremely distended, lose their tone, the worms languish, without spinning at all, or at least, what they do spin, is wasted here and there, and you lose your labour. In planting these little hedge-rows, the bushes should be fixed as close together as they conveniently can be, that the worms may not lose their time in seeking where to climb; and on the upper

tables, the rows should not come quite to the edge on either side, but a space of a hand's breadth at least should be left: for if any of the worms should happen to fall from the branches, they would come from such a height down upon the floor, as would kill them.*

3. If your brood be numerous, you will now find the advantage of having it divided into classes, which come to maturity one after another, at the distance of two or three days; because this will lessen the hurry and fatigue of making these necessary accommodations, at the time when they are ready to go to work. But you cannot expect that even one class should be all ready at once; there will be a small part, at least, more tardy, and which therefore will want to be fed a little longer. It would be embarrassing to feed these among those that are better employed; and therefore, as soon as the majority have begun to spin, it is better to move the lingers apart, and feed them by themselves till they are disposed to labour, and then either to replace them on the tables already prepared, or, if their number is small, accommodate them with clean crisp shavings, strewed or suspended round them, into which they may creep and go to work.

4. It is a very great advantage to let the spinners have a freely-circulating air; and therefore, as soon as all the worms are mounted, and have fairly begun their cocoons, draw out all the boards from every table, and

NOTE.

* In Georgia, they provide broad hanging shelves, to lay the worms on to spin; these shelves should be rubbed all over with fennel, some little time before the worms are ready to spin; and a quantity of small white oak boughs, with their leaves on, should be cut about one week before they will be wanted; the reason of which is, that the leaves may be dried and shrivelled a little, against that time; these boughs or branches must be laid steadily on those shelves for the worms to spin amongst; the perfume of the fennel being very grateful to the worms, it will allure them to begin their work, and the leaves being shrivelled, will accommodate them with a suitable nest to spin their silk-balls in.

leave the frame standing, with all the intervals, between the cross-pieces, open, as so many passages for the air. This explains the use of the construction described in the third article of the fifth section, and the reason why the upper tier is directed to be furnished with inter-ties, like the rest, though that tier is not to be made use of as a table. The inter-ties there serve only now to keep the hedge-rows of the next inferior table firm and steady. This frame of tables, when the boards are all removed, and the cocoons finished, will form a very pretty spectacle; it will be like so many rows of small trees, planted one on the top of another, and their little branches loaded with golden and silver fruit.

SECTION VII.

Of the cocoons to be set apart for seed.

1. Before you begin to wind off the silk, it will be necessary to select a sufficient number of cocoons, which may furnish you with a provision of eggs for a future brood. With regard to the quantity to be set apart for this purpose, observe the following proportion; it is found by experience, that, one time with another, a pound of cocoons will yield one ounce of eggs. It has been recommended to choose out, for this use, the largest and finest of your stock.

2. As soon as the moth-flies begin to come out, you should have a clean table in readiness, on which you are to place and couple the flies. Let them continue coupled for about twelve hours, and then with care separate the male from the female, which latter will immediately begin to lay her eggs. If these should be laid upon the naked table, it would be impossible to get them off without breaking the shells; it is therefore recommended to cover the table with a piece of fine, half-worn sagathy, or some such thin kind of woollen stuff, from which the eggs are more easily separated than from paper or any other substance. But, as the table is chiefly destined to another purpose, it is also advisable to suspend a strip of the same stuff upon a rod, all along one side, and so as to hang down nearly upon the edge of the table; and as fast as you perceive any moth beginning to lay her eggs, take her up gently, and put her upon the strip of

hanging stuff, where she will lay her eggs without disturbance, and they will not be soiled with any excrement.

3. The cocoons, from which the moth-flies have come out, though they are not fit for winding, yet are not to be thrown away; they may be carded and spun into a very serviceable coarse kind of silk; they should therefore be kept as clean as may be—and it should be noted, that the moths do not pierce through the double balls of themselves, but would lay their eggs within, and die; such double balls as will not wind readily, are, therefore, laid aside for seed; but as the flies or moths cannot get thro' of themselves, the cocoons should be cut at the blunt or thick end, to open a passage for them, and to prevent more waste of the silk than is needful.



NATIONAL CHARACTERS, MANNERS, CUSTOMS, &c.

Sketch of the manners, sumptuary laws, &c. of the early planters of New England. From Belknap's history of New Hampshire.

THE drinking of healths, and the use of tobacco, were forbidden, the former being considered as an heathenish practice, grounded on the ancient libations; the other as a species of intoxication and waste of time. Laws were instituted to regulate the intercourse between the sexes, and the advances towards matrimony: they had a ceremony of betrothing, which preceded that of marriage. Pride and levity of behaviour came under the cognizance of the magistrate. Not only the richness, but the mode of dress, and cut of the hair, were subject to the state regulations. Women were forbidden to expose their arms or their bosoms to view; it was ordered that their sleeves should reach down to their wrist, and their gowns be closed round the neck. Men were obliged to cut short their hair, that they might not resemble women. No person, not worth 200l. was allowed to wear gold or silver lace, or silk hoods and scarfs. Offences against these laws were presentable by the grand jury; and those who dressed above their rank, were to be assessed accordingly. Sumptuary laws might be of use in the beginning of a new plantation; but these pious rulers had more in view than the

political good. They were not only concerned for the external appearance of sobriety and good order, but thought themselves obliged, so far as they were able, to promote real religion, and enforce the observance of the divine precepts.

As they were fond of imagining a near resemblance between the circumstances of their settlement in this country, and the redemption of Israel from Egypt or Babylon; it is not strange that they should also look upon their "commonwealth as an institution of God, for the preservation of their churches; and the civil rulers as both members and fathers of them." The famous John Cotton, the first minister in Boston, was the chief promoter of this settlement. When he arrived in 1633, he found the people divided in their opinions. Some had been admitted to the privileges of freemen at the first general court, who were not in communion with the churches; after this, an order was passed, that none but members of the churches should be admitted freemen; whereby all other persons were excluded from every office or privilege, civil or military. This great man, by his eloquence, confirmed those who had embraced this opinion, and earnestly pleaded, "that the government might be considered as a theocracy, wherein the Lord was judge, lawgiver, and king; that the laws, which he gave Israel, might be adopted, so far as they were of moral and perpetual equity; that the people might be considered as God's people, in covenant with him; that none but persons of approved piety and eminent gifts, should be chosen rulers; that ministers should be consulted in all matters of religion; and that the magistrates should have a superintending and coercive power over the churches." At the desire of the court, he compiled a system of laws, founded chiefly on the laws of Moses, which was considered by the legislative body as the general standard; though they never formally adopted it, and in some instances varied from it.



Character of the Creoles of St. Domingo.—P. 361.

LET us now turn our attention to the female part of these islanders. To delicacy of features the female

Creoles join an elegant shape and majestic walk, which seem to be natural to the women of warm countries. They are rarely endowed with that exact symmetry, which constitutes perfect beauty; but they almost always possess a certain comeliness, which it is more difficult to describe. The women in Georgia and Greece are beautiful; but in St. Domingo they are lovely. Their large eyes exhibit a happy medium between languor and vivacity; and if the severity of the climate were not an enemy to the freshness of their complexion, it would be difficult to defend one's self against the charm of a look in which tenderness and gaiety are mingled, without being confounded. But they are no strangers to the assistances of the toilette; and they know how to preserve the advantages which nature has bestowed.

The thinness of their dress gives an air of greater freedom to their motions; and the carelessness, that seems to accompany all their actions, serves but the more successfully to rouse those voluptuous ideas that are ever awake.

The idleness in which they are educated—the almost continual heats they experience—the attentions, of which they are perpetually the objects—the effects of a lively imagination and early puberty—all produce an extreme sensibility in their nervous system. This sensibility produces an indolence of disposition, which, struggling with their natural gaiety, constitutes a temperament bordering on the melancholic.

The stimulus of desire, however, is only wanting to make them exert all their energy. Accustomed to command, they grow obdurate, if controlled; but when their wishes are gratified, they sink down to their usual apathy. Without emulation for agreeable qualifications, which it would be so easy for them to acquire, they nevertheless envy these in others. But the greatest source of their uneasiness, arises from rivalry in exterior accomplishments. The Creole women rarely seek to form intimacies with their own sex; but they are lavish of civilities, when chance brings them together.

They are distinguished by an ex-

cessive tenderness for their children, and a pious affection for their parents, which they testify by the most engaging expressions of filial respect.

Love, that tyrant of feeling hearts, domineers over those of the Creoles. Amiable from their sensibility, and by the attractions with which nature has endowed them, they yield themselves willingly to that inclination, which in them does not sufficiently depend on sentiment, to procure for its votaries its highest gratifications. But the durability of their attachments would make them less blameable, if these could be defended on the score of decency. Happy is the whose marriage vows have been those of love! adoring her lover in her husband, her fidelity, which is more commonly the fruit of temperament than of virtue, will insure their mutual tranquility. But if the husband has no other rights but those of duty, let him beware of exercising them despotically, or of contemning those that are due to his wife; for his example will infallibly be imitated. Their attachment is always mingled with jealousy; and in spite of the indifference which many of them feel for the husband, whom convenience alone has procured, they cannot pardon his infidelities, but are inflamed at the discovery with inconceivable rage. By a sort of presentiment of the evils which the freed women occasion them in this way, they agree in vowing against them an implacable hatred, and are particularly offended at seeing them adorned with extraordinary finery, considering this as a sort of triumph or victory obtained over them by these dusky Roxanas.

Jealousy, which desolates the universe, often occasions the death of such Creole women as are not able to bear the estrangement of those whom they love: and they are more disposed to endure the loss of himself than of his affection.

They are so captivated with dancing, that they give themselves up to it without reserve, in spite of the heat of the climate and the delicacy of their constitution. This exercise seems to give new energy to the faculties; and they well know what new charms it adds to an elegant figure and graceful shape. It makes

them forget the indolence which at other times they so fondly cherish; and such is the delirium with which the dance affects them, that a stranger would suppose it to be the predominant pleasure of their hearts.

They are also fond of singing; and little tender airs are their favourites; but the old ballad they are particularly pleased with: its plaintive sounds seem to flatter the languor of their disposition; and they give such expression to its accents, as captivates the heart, while it charms the ear.

They are fond of solitude, and willingly seclude themselves, even in the heart of towns. This gives them an air of bashfulness in society, which never leaves them, except they have been tutored, in France, to adopt the familiar manners of that nation.

They are exceedingly temperate. Chocolates, sweets, fruits, and particularly coffee, are their chief food. But a taste, which it would seem they are not able to resist, prompts them to refuse simple and wholesome aliment, for the factitious seasonings of European dishes, or for their country food fantastically prepared, and known by names still more fantastic. Pure water is their common drink, but they sometimes prefer lemonade, made of syrup, and citron juice. They eat little at stated times; but whenever they feel the solicitations of appetite, they immediately indulge it.

The Creole women are of feeble constitutions; their beauty is delicate, and its duration short. The inactivity and irregularity of their domestic life, ill-chosen food, and passions almost always at work, are the causes of the sudden decay of their charms: but perhaps the chief reason is the pernicious custom of marrying before they have attained the perfection of their growth. Being generally fruitful, and liable to no disease or danger, either during pregnancy or at parturition, they abuse these advantages, which are owing merely to the delicacy of their frame.

It will, perhaps, surprise many, to be told, that in a country where maternal affection is so exquisite, the children are nursed by slaves. It is but too true, that if few women here

attempt to suckle their own children, very few are able to do it. This is occasioned by the natural debility of their constitution, by premature connexion with our sex, by the impropriety of their food, and the general irritability of their nervous system. But the child is kept under their eye, and the nurse has always her liberty, in reward for her care. The mothers make amends by their tenderness and solicitude, for their inability to perform a duty, the neglect of which is often severely punished.

The Creole women never receive any education at St. Domingo; and when this is considered, their talents are astonishing. Their natural good sense, untinctured with prejudice, gives a certain temper to their minds, which, if it misguides them sometimes, often procures them a character of stability, which some false reasoners have pretended their sex was incapable of.

In matters of sentiment and delicacy, they are excellent counsellors. They are endowed with a sort of instinctive inclination for what is honourable; they are haughty and indignant of what is mean. They despise the man who has been dishonoured; and they participate the resentment of him who has been affronted. That man must renounce the title of a lover, who can tamely submit to an injury; for they would rather weep over the grave, than listen to the vows, of a dastard.

They are naturally affable and generous, and melt with compassion over whatever has the appearance of misfortune or sorrow. But these virtues they sometimes forget, with regard to their domestic slaves; and a delicate lady, who can shed tears at the mere recital of distress, will often witness the infliction of the stripes which her passion has commanded. It is needless to say that the punishment is seldom proportioned to the offence; for she who can forget the character of her sex, rarely keeps within bounds. Nothing can equal the rage of a Creole woman, who chastises a slave whom her husband has seduced: and we would in vain attempt to describe it, in terms of sufficient horror.

These frightful scenes are but rare, and happily they grow less frequent daily. Perhaps the Creoles may in time lose that inclination for arbitrary dominion, which at present they contract at so early an age. The custom of educating a greater number in France, and the influence of philosophical writings, that plead the cause of humanity, and which they read with the feelings of virtue, will accomplish this happy revolution. They already soften the lot of their slaves; they shew an attention to their children, which they formerly disdained; they visit the sick negroes, and take care that they be properly tended. Sometimes they even prepare medicines for them with their own hands, and soothe their distresses with the gentlest expressions of sympathy and condolence.

These, O lovely sex, are your proper charms. Sweetness and complacency are your distinguishing perfections. Nature hath denied you strength, but she hath given you power to soften by a look, the lordlike creature you were born to bless. She hath made you to temper man; to retain in soft captivity his unruly desires; to still the turbulence of his imperious passions; and to reconcile him, by the blandishments of love, to the miseries of life. A politic religionist, in imagining a place of unceasing delights, seduced half the world to enthusiasm, by painting you, lovely and complying, as the inhabitants of paradise, and the most exquisite reward of the good. Be persuaded, then, O amiable sex! to confine your dominion to the power of your charms, and to procure the happiness of your subjects, by the allurements of virtue, and the sensibilities of the heart.



Short account of the horrid custom of eating human flesh, among the inhabitants of Sumatra.*

THEY do not eat human flesh, as means of satisfying the cravings of nature, owing to a deficiency of other food; nor is it sought after as a gluttonous delicacy, as it would seem among the New Zealanders.

NOTE.

* Marsden's history of Sumatra.
VOL. VI. No. VI.

The Battaseat it as a species of ceremony—as a mode of shewing their detestation of crimes, by an ignominious punishment, and as a horrid indication of revenge and insult to their unfortunate enemies. The objects of this barbarous repast, are the prisoners taken in war, and offenders convicted and condemned for capital crimes. Persons of the former description may be ransomed or exchanged, for which they often wait a considerable time; and the latter suffer only when their friends cannot redeem them by the customary fine of twenty beechangs, or eighty dollars. They are tried by the people of the tribe where the fact was committed; but cannot be executed till their own particular raja, or chief, has been acquainted with the sentence; who, when he acknowledges the justice of the intended punishment, sends a cloth to put over the delinquent's head, together with a large dish of salt and lemons. The unhappy object, whether prisoner of war, or malefactor, is then tied to a stake; the people, assembled, throw their lances at him from a certain distance, and when mortally wounded, they run up to him, as if in a transport of passion; cut pieces from the body with their knives; dip them in the dish of salt and lemon juice; slightly broil over a fire prepared for the purpose, and swallow the morsels, with a degree of savage enthusiasm. Sometimes (I presume according to the degree of their animosity and resentment) the whole is devoured; and instances have been known, where, with barbarity still aggravated, they tore the flesh from the carcase with their mouths.



BIOGRAPHY.

Some account of the celebrated Johannes Bruno, the reformer of medicine, in Scotland. Written by Samuel Latham Mitchill, M. D.

HE was a man unfortunate enough to attempt the subversion of established medical opinions, and to propose, in their stead, new ones of his own. The fate of Harvey, who was contradicted, for asserting the circulation of the blood, and the odium incurred by Sydenham, for introducing cool regimen, in small-pox, might have taught him, how little the authors
3 O

of even useful innovations are thanked by their contemporaries. Yet, undaunted by the severe treatment which his predecessors had received, he determined to publish to the world, a work that his extensive erudition, intense application, and extraordinary ingenuity, had enabled him to compose. The novelty of the subject, and the Latin language in which it was written, made it difficult for those who attempted a perusal, to comprehend it; and therefore, few could with certainty acquire a thorough knowledge of the whole system, unless communicated and explained by the author or his disciples.

Yet so fond were physicians of passing judgment upon it, that the majority, without examination, condemned the whole at once, as trifling and whimsical, because they were told it thwarted their favourite notions; and the remainder, who fancied they gave it a fair discussion, as they looked into the books without obtaining a full and true account of their contents, decided upon its merits with all the unfairness of ignorance and presumption.

The medical faculty of the university in Scotland, leagued in firm confederacy against the author and his doctrine, treated them both with contemptuous neglect, or, when they were mentioned, they were merely considered as a subject to reprobate and ridicule. The students were cautioned against his tenets, as dangerous heterodoxy, and much pains were taken to prevent among them, apostacy from academical faith. Even the learned Cullen, who plumed himself upon the victory he had gained by the overthrow of Boerhaave, now began to dread the attacks of a more formidable antagonist, whom he foresaw in Bruno: and the event has proved that his apprehensions were not groundless; for in spite of every injury and indignity, endured from its earliest infancy, the new doctrine has by degrees acquired Herculean strength, and overcome the hydra of opposition. The system of Bruno has been daily gaining reputation, during its author's life, in proportion to its extensive diffusion; while that of Cullen has hourly lost its undeserved renown, before the death of its propagator, as fast as it has been examined among the accurate reasoners of the age.

Whoever considers the arguments employed in the first edition of the *Elementa Medicinæ*, against the Stahlian doctrine of plethora, must acknowledge them valid and unanswerable; and with equal reason will be induced to admire the elegant style and interesting truths contained in the preface of the second. If in the published volumes, he has been sometimes obscure, (and who is there that expresses his thoughts, or even thinks, at all times, with uniform clearness?) it must be told to his honour, that he was always willing to own detected mistakes, and to alter and amend them by marginal notes, as he went along. He engaged in a labour too mighty, perhaps, for a single man to accomplish; but he proceeded with astonishing perseverance, to batter down the ill-founded Gothic edifice of physic—to remove the enormous heap of antiquated rubbish—and finally to construct, upon a more secure basis, a Corinthian fabric, that should be beautiful to look at, and comfortable to dwell under.

The desire to become acquainted with his opinions was so ardent, that not all the united endeavours of his enemies could hinder the curious and inquisitive youth from attending his lectures. They commonly heard his discourses at his own dwelling—and when, hunted by the terrors of the law, he fled to the royal liberties of Holyrood house for an asylum, they followed him there: and once, when he was confined in jail, for a small debt, so great was their attachment to him, that, as his pride would not permit them to release him by a subscription of money, they followed him unanimously in a body to the place of confinement, and received instruction, day after day, within those dreary walls. An event unparalleled in the history of medicine! for, although his adversaries maliciously rejoiced at his imprisonment, at first; yet they afterwards confessed, that it added more to his reputation than the clamorous applause of his friends.

I shall never forget a morning visit he once made me, bringing the original odes of Anacreon and Sappho in his hand; on several of which he offered such critical and explanatory remarks, as fully shewed his proficiency

cy in Grecian literature; and it is said the late professor Van Doeveren complimented him very highly, at Leyden, on the classical purity of his Latin conversation.

But, notwithstanding his various intellectual attainments, he had faults too glaring to pass unnoticed, by the strictest of his adherents; and to those are to be attributed, in some degree, the steady opposition to his doctrine and its retarded progress; people disliking his opinions on account of their aversion to the man. At the recollection of his failings, I fetch a sigh of sorrow, for in vain should I cover with a veil of friendship, what he himself exposed to view. But while I remember the weaknesses of this individual, I remember, too, that perfection falls not to the lot of mortal man. This, after all, may be said with truth, that they were of a pardonable kind, as they proceeded from a temper naturally benevolent, but rendered austere by disappointments, vexations, and crosses, which were chiefly brought upon him through want of knowledge of the world, and of acquaintance with human nature.

He taught his pupils a due degree of medical scepticism, by which they dared to doubt the infallibility of ancient authority, and equally to discredit the unsupported assertions of modern dogmatism. He proved that life is a forced state of existence, and traced out some of the laws of animation. He pointed out the proper distinction between diseases of universally high and low excitement. He rendered more simple the practice of medicine, and cast away many useless and superfluous articles of the shops. But, on the history and treatment of local diseases, which compose so considerable a share of human calamities, he has said and written very little; and the disrespectful remarks on most of those characters whom he mentions, are another of his capital defects. He has also in some cases, pushed his doctrine too far—but, upon the whole, it is much to be lamented, that it is so little heard of, and so much less known among us.

Fort Schuyler, September 23, 1788.

Account of Thomas Godfrey.—Written by the rev. Nathaniel Evans, of Gloucester, New Jersey.

THOMAS GODFREY was born in Philadelphia, in the year 1736. His father, who was of the same name, was a glazier by trade, and likewise a citizen of Philadelphia; a person, whose great natural capacity for mathematics, has occasioned his name to be known in the learned world: being (as has been heretofore shewn by undeniable evidences) the original and real inventor of the very useful and famous sea-quadrant, which has been called Hadley's.

He died when his son was very young, and left him to the care of his relations, by whom he was placed at an English school, and there received a common education in his mother tongue; and without any other advantage than that, a natural genius, and an attentive perusal of the works of the English poets, he soon exhibited to the world the strongest proofs of poetical capacity.

It is not to be wondered, therefore, that in the early period of life, he should feel such a warm impulse for those elegant arts, for which nature had formed him. For, besides having a fine ear for music, and an eager propensity to poetry, we are told, that, when very young, he discovered a strong inclination to painting, and was very desirous of being bred to that profession. But those who had the charge of him, not having the same honourable idea, either of the profession, or its utility, which he had, crossed him in that desire. After some time, he was put to a watch-maker, an ingenious man, in Philadelphia: but still the muses and graces, poetry and painting, stole his attention. He devoted, therefore, all his private hours to the cultivation of his parts, and towards the expiration of his time, he composed those performances that were published, with so much favourable notice, in the American magazine.

At length he quitted the business of watch-making, and got himself recommended to a lieutenant's commission in the Pennsylvania forces, raised in the year 1758, for the expedition against Fort Du Quêne; in

which station he continued, till the campaign was over, when the provincial troops were disbanded.

The succeeding spring, he had an offer made him, of being settled as a factor in North Carolina, and, being unemployed, he accepted of the proposal, and presently embarked for that place, where he continued upwards of three years.

Mr. Godfrey, on the death of his employer, left Carolina, and returned to Philadelphia; but finding nothing offer, that was advantageous, at his return, he determined to make another voyage abroad; and, accordingly, procured some small commissions, and went, as a supercargo, to the island of New Providence, where he was for some months, but met with no great encouragement. From New Providence, he sailed, once more, to North Carolina: where, in a few weeks after his arrival, he was unexpectedly summoned to pay the debt of nature, and death put a sudden stop to his earthly wanderings, by hurrying him, off this shadowy state, into a boundless eternity.

He happened, one very hot day, to take a ride into the country, and, not being much used to this exercise, and of a corpulent habit of body, it was imagined the heat overcame him; for the night following he, was seized with a violent vomiting and malignant fever; which continued seven or eight days, and at 10 o'clock, A. M. on the third of August, 1763, put a period to his life, in the 27th year of his age.

Thus hastily was snatched off, in the prime of manhood, this very promising genius, beloved, and lamented, by all who knew him. The volume of his poems, which has been presented to the public, is a collection of those sweet effusions which flowed with a noble wildness from his elevated soul. Free and unpremeditated he sung, unskill'd in any precepts, but what were infused into him by nature, his divine tutors. The reader of his works must judge, whether, from these useful emanations, he does not appear to have been animated with the genuine poetic flame. But whatever desert he may be allowed as a poet, it will be render'd still more conspicuous by his character as a man,

His sweet amiable disposition, his integrity of heart, his engaging modesty and diffidence of manners, his fervent and disinterested love for his friends, endeared him to all those who shared his acquaintance, and have stamped the image of him, in indelible characters, on the hearts of his more intimate friends.



MORAL TALES.

Zimeo.—Page 373.

HERE Zimeo stooped for a moment, then resuming his story:—"yes, my friends," said he, "these men, to whom we had been prodigal of our wealth and of our confidence, carried us away, to sell us with the criminals they had purchased at Benin. I felt at once the misery of Ellaroe, of Matomba, and myself. I loaded the Portuguese with reproaches and threats: I bit my chains, and wished I could die: but a look from Ellaroe changed my purpose. The monsters had not separated me from her. Matomba was in the other vessel.

"Three of our young men, and a young girl, found means to put themselves to death. I exhorted Ellaroe to imitate their example; but the pleasure of loving and of being beloved, attached her to life. The Portuguese made her believe that they intended for us a lot as happy as we had formerly enjoyed. She hoped, at least, that we would not be separated, and that she might again find her father.

"After having, for some days, wept the loss of our liberty, the pleasure of being always together stopped the tears of Ellaroe, and abated my despair.

"In those moments, when we were not interrupted by the presence of our inhuman masters, Ellaroe would fold me in her arms, and exclaim, O, my friend! let us endeavour to support and encourage one another, and we shall resist all they can do to us: assured of your love, what have I to complain of? and what happiness is it, that you would purchase at the expense of that which we now enjoy? These words infused into me extraordinary fortitude; and I had no fear but one—that of being separated from Ellaroe.

"We were more than a month

at sea : there was little wind, and our course was slow ; at last the winds failed us entirely, and it fell a dead calm. For some days, the Portuguese gave us no more food, than was barely sufficient to preserve us alive.

" Two negroes, determined on death, refused every species of nourishment, and secretly conveyed to us the bread and the dates that were designed for them. I hid them with care, that they might be employed in preserving the life of Ellaroe.

" The calm continued ; the sea, without a wave, presented one vast immoveable surface, to which our vessel seemed attached. The air was as still as the sea. The sun and the stars, in their silent course, disturbed not the profound repose that reigned over the face of the deep. Our anxious eyes were continually directed to that uniform and unbounded expanse, terminated only by the heaven's arch, that seemed to enclose us as in a vast tomb. Sometimes we mistook the undulations of light for the motion of the waters ; but that error was of short duration. Sometimes, as we walked on the deck, we took the resistance of the air for the agitation of a breeze ; but no sooner had we suspended our steps, than the illusion vanished ; and the image of famine recurring, presented itself to our minds with redoubled horror.

" Our tyrants soon reserved for themselves the provisions that remained, and gave orders, that a part of the blacks should be sacrificed as food for the rest. It is impossible to say, whether this order, so worthy of the men of your race, or the manner in which it was received, affected me most. I read, on every face, a greedy satisfaction, a dismal terror, a savage hope. I saw those unfortunate companions of my slavery observe one another with voracious attention, and the eyes of tigers.

" Two young girls of the village of Onebo, who had suffered most by the famine, were the first victims. The cries of these unhappy wretches still resound in my ears ; and I see the tears streaming from the eyes of their famished companions, as they devoured the horrid repast.

" The little provisions, which I

had concealed from the observation of our tyrants, supported Ellaroe and myself, so that we were sure of not being destined to the sacrifice. I still had dates, and we threw into the sea, without being observed, the horrid morsels that were offered to us.

" The calm continuing, despondency began to seize even our tyrants ; they became remiss in their attention to us ; they observed us slightly, and we were under little restraint. One evening, when they retired, they left me on the deck with Ellaroe. When she perceived we were alone, she threw her arms around me, and I pressed her with rapture in mine. Her eyes beamed with an unusual expression of sensibility and tenderness. I had never in her presence experienced such ardour, such emotion, such palpitation, as at that moment. Long we remained thus enfolded in one another's arms, unable to speak. " O thou," said I at last, " whom I had chosen to be my companion on a throne, thou shalt at least be my companion in death." " Ah, Zimeo !" said she, " perhaps the great Orissa will preserve our lives, and I shall be thy wife." " Ellaroe," I replied, " had not these monsters by treachery prevailed, *Damel* would have chosen thee for my wife, as thy father had chosen me for thy husband. My beloved Ellaroe, do we still depend upon the authority of *Damel*, and shall we now wait for orders that we can never receive ? No, no, far from our parents, torn from our country, our obedience is now due only to our hearts." " O, Zimeo !" cried she, bedewing my face with her tears. " Ellaroe," said I, " if you weep in a moment like this, you love not I as do." " Ah !" replied she, " observe, by the light of the moon, this unchangeable ocean ; throw your eyes on these immoveable sails ; behold, on the deck, the traces of the blood of my two friends ; consider the little that remains of our dates, then—O Zimeo ! be but my husband, and I shall be contented !"

" So saying, she redoubled her caresses. We swore, in presence of the great Orissa, to be united, whatever should be our destiny : and we gave ourselves up to numberless pleasures, which we had never before experi-

enced. In the enjoyment of these, we forgot our slavery; the thoughts of impending death, the loss of empire, the hope of vengeance, all were forgotten, and we were sensible to nothing but the blandishments of love. At last, however, the sweet delirium ceased; we found ourselves deserted by every flattering illusion, and left in our former state; truth appeared in proportion as our senses regained their tranquillity; our souls began to suffer unusual oppression; weighed down on every side, the calm we experienced was awful and dead, like the stillness of nature around us.

"I was roused from this despondency by a cry from Ellaroe; her eyes sparkled with joy; she made me observe the sails and the cordage agitated by the wind; we felt the motion of the waves; a fresh breeze sprung up, that carried the two vessels in three days to Porto-Bello.

"There we met Matomba; he bathed me with his tears; he embraced his daughter, and approved of our marriage. Would you believe it, my friends? the pleasure of rejoicing Matomba, the pleasure of being the husband of Ellaroe, the charms of her love, the joy of seeing her safe from such cruel distress, suspended in me all feeling of our misfortunes: I was ready to fall in love with bondage; Ellaroe was happy, and her father seemed reconciled to his fate. Yes, perhaps, I might have pardoned the monsters that had betrayed us; but Ellaroe and her father were sold to an inhabitant of Porto-Bello, and I to a man of your nation, who carried slaves to the Antilles.

"It was then that I felt the extent of my misery; it was then that my natural disposition was changed; it was then I imbibed that passion for revenge, that thirst of blood, at which I myself shudder, when I think of Ellaroe, whose image alone is able to still my rage.

"When our fate was determined, my wife and her father threw themselves at the feet of the barbarians that separated us; even I prostrated myself before them: ineffectual abasement! they did not even deign to listen to us. As they were preparing to drag me away, my wife, with wildness in her eyes, with outstretched

arms, and shrieks that still rend my heart, rushed impetuously to embrace me. I disengaged myself from those who held me; I received Ellaroe in my arms; she infolded me in hers, and instinctively, by a sort of mechanical impulse, we clasped our hands together, and formed a chain round each other. Many cruel hands were employed, with vain efforts, to tear us asunder. I felt that these efforts would, however, soon prove effectual: I was determined to rid myself of life; but how leave in this dreadful world my dear Ellaroe! I was about to lose her forever; I had every thing to dread; I had nothing to hope; my imaginations were desperate; the tears ran in streams over my face; I uttered nothing but frantic exclamations, or groans of despair, like the roarings of a lion, exhausted in unequal combat. My hands gradually loosened from the body of Ellaroe, and began to approach her neck. Merciful Orissa! the whites extricated my wife from my furious embrace. She gave a loud shriek of despair, as we were separated; I saw her attempt to carry her hands towards her neck, to accomplish my fatal design; she was prevented; she took her last look of me. Her eyes, her whole countenance, her attitude, the inarticulate accents that escaped her, all bespoke the extremities of grief and of love.

"I was dragged on board the vessel of your nation; I was pinioned, and placed in such a manner as to make any attempt upon my life impossible; but they could not force me to take any sustenance. My new tyrants at first employed threats, at last they made me suffer torments, which whites alone can invent; but I resisted all.

"A negro, born at Benin, who had been a slave for two years with my new master, had compassion on me. He told me that we were going to Jamaica, where I might easily recover my liberty: he talked to me of the wild negroes, and of the commonwealth they had formed in the centre of the island; he told me that these negroes sometimes went on board English ships, to make depredations on the Spanish islands; he made me understand, that in one of those cruises, Ellaroe and her father might

be rescued. He awakened in my heart the ideas of vengeance and the hopes of love. I consented to live : you now see for what. I am already revenged, but I am not satisfied till I regain the idols of my heart. If that cannot be, I renounce the light of the sun. My friends, take all my riches, and provide me a vessel—"

Here Zimeo was interrupted by the arrival of Francisco, supported by the young negro who had so suddenly retired upon the sight of his prince. No sooner had Zimeo perceived them, than he flew to Francisco. "O, my father ! O Matomba !" cried he, "is it you ? do I indeed see you again ? O Ellaroe !" "She lives," said Matomba ; "she lives, she weeps your misfortunes, she belongs to this family." "Lead me, lead me,"—"See," interrupted Matomba, shewing him Wilmot's friend, "there is the man who saved us." Zimeo embraced by turns, now Matomba, now Wilmot, and now his friend ; then with wild eagerness, "lead me," he cried, "to my love." Marianne, or rather Ellaroe, was approaching ; the same negro, who had met Matomba, had gone in quest of her ; she came trembling, lifting her hands and eyes to heaven ; and with tears in her eyes, in a faint voice, she could hardly utter, "Zimeo, Zimeo." She had put her child into the arms of the negro, and after the first transports and embraces were over, she presented the infant to her husband. "Zimeo, behold thy son ! for him alone have Matomba and I supported life." Zimeo took the child, and kissed him a thousand and a thousand times. "He shall not be a slave," cried he ; "the son of my Ellaroe shall not be a slave to the whites." "But for him," said she, "but for him, I should have quitted this world, in which I could not find the man whom my soul loved." The most tender discourses at last gave place to the sweetest caresses, which were only suspended to bellow these caresses on their child. But soon their gratitude to Wilmot and his friend engrossed them wholly ; and surely never did man, not even a negro, express this amiable sentiment so nobly and so well.

Zimeo, being informed that the English troops were on their march,

made his retreat in good order. Ellaroe and Matomba melted into tears on quitting Wilmot. They would willingly have remained his slaves ; they conjured him to follow them to the mountain. He promised to visit them there as soon as the peace should be concluded between the wild negroes and the colony. He kept his word ; and went thither often, to contemplate the virtues, the love, and the friendship of Zimeo, of Matomba, and of Ellaroe.



Peter. A German tale.

IN a village of the Margraviate of Bareith, in Franconia, lived a husbandman, whose name was Peter. He was in possession of the best farm in the country ; but that was the least part of his riches. Three girls and three boys, whom he had had by his wife, Theresa, were already married, had children, and were all of them his own inmates. Theresa, his wife, was seventy-eight years of age ; he himself was eighty ; and both were beloved, served, and respected by this numerous family, who had made it their business to prolong the old age of their venerable parents. Sobriety and labour during a long life, had guarded them against the infirmities of old age : content, loving, happy, and proud of their children, they blessed God, and prayed for their offspring.

One evening, having passed the day in reaping, the good old Peter, Theresa, and his family, seated on the turf, were indulging themselves at their own door. They were lost in contemplation of those sweet summer nights, that the inhabitants of cities never know. "Observe," said the old man, "how that beautiful sky is besprinkled with stars, some of which, falling from the heavens, leave behind them a long train of fire. The moon, hid behind these poplars, gives us a pale and trembling light, which tinges every object with an uniform and soft splendor. The breeze is hushed ; the tree seems to respect the sleep of its feathered inhabitants. The linnet and thrush sleep with their heads beneath their wings. The ring-dove and her mate repose amidst their young, which have yet no other covering or feathers than

those of their mother. Nothing interrupts this deep silence, but that plaintive and distant scream, which, at equal intervals, strikes our ears: it is the cry of the owl, the emblem of the wicked. They watch, while others rest; their complaints are incessant, and they dread the light of heaven. My dearest children, be always good, and you'll be always happy. Sixty long years have your mother and I enjoyed a happy tranquillity. God grant that none of you may ever purchase it so dearly."

With these words, a tear flood in the old man's eye. Louisa, one of his grand-daughters, about ten years old, ran and threw herself in his arms. "My dear grandpapa," said she, "you know how well pleased we all are, when of an evening you tell us some pretty story: how much more delighted should we all be, if you would tell us your own! It is not late; the evening is mild; and none of us are much inclined to sleep." The whole family of Peter seconded the request, and formed themselves in a semicircle before him. Louisa sat at his feet, and recommended silence. Every mother took on her knee the child whose cries might distract attention: every one was already listening; and the good old man, brooding Louisa's head with one hand, and the other lock'd in the hands of Theresa, thus began his history.

"It is a long time ago, my children, since I was eighteen years of age, and Theresa sixteen. She was the only daughter of Aimar, the richest farmer in the county. I was the poorest cottager in the village; but never attended to my wants, 'till I fell in love with Theresa. I did all I could, to smother a passion, which, I knew, must one day or other have made a wretch of me. I was very certain that the little pittance fortune had given me, would be an eternal bar in the way to my love; and that I must either renounce her for ever, or think of some means of becoming richer. But, to grow richer, I must have left the village where my Theresa lived; that effort was above me; and I offered myself as a servant to Theresa's father.

"I was received. You may guess with what courage I worked. I soon ac-

quired Aimar's friendship and Theresa's love. All of you, my children, who know what it is to marry from love, know too the heart-felt pleasure of reciprocity in every interview, every look, every action. Theresa loved me as much as she herself was loved. I thought of nothing but Theresa; I worked for her; I lived for her; and I fondly imagined that happiness was then eternally mine.

"I was soon undeceived. A neighbouring cottager asked Theresa in marriage from her father. Aimar went, and examined how many acres of ground his intended son-in-law could bring his daughter; and found that he was the very husband that suited her. The day was fixed for the fatal union.

"In vain we wept; our tears were of no service to us. The inflexible Aimar gave Theresa to understand, that her grief was highly displeasing to him; so that restraint added to our mutual wretchedness.

"The terrible day was near. We were without one glimmering of hope. Theresa was about to become the wife of a man she detested. She was certain, death must be the inevitable consequence. I was sure I could not survive her; we made up our minds to the only way that was left us; we both ran off; and heaven punished us.

"In the middle of the night we left the village. I placed Theresa on a little horse that one of her uncles had made her a present of: it was my decision, that there was no harm in taking it away, since it did not belong to her father. A small wallet contained her clothes and mine, with a trifle of money that Theresa had saved. For my part, I would take nothing with me; so true it is, that many of the virtues of youth are the offspring of fancy; I was robbing a father of his daughter, and I scrupled at the same time to carry off the value of a pin from his house.

"We travelled all night; at day-break we found ourselves on the frontiers of Bohemia, and pretty nearly out of the reach of any who might be in pursuit of us. The place we first stopped in, was a valley, beside one of these rivelets that lovers are so fond of meeting with. Theresa

alighted, sat down beside me on the grass, and we both made a frugal but delicious meal. When done, we turned our thoughts to the next step we were to take.

"After a long conversation, and reckoning twenty times over, our money, and estimating the little horse at its highest value, we found that the whole of our fortune did not amount to twenty ducats. Twenty ducats are soon gone! We resolved, however, to make the best of our way to some great town, that we might be less exposed, in case they were in search of us, and there get married as soon as possible. After these very wise reflexions, we took the road that leads to Egra.

"The church received us on our arrival; and we were married. The priest had the half of our little treasure for his kindness; but never was money given with so much good will. We thought our troubles were now all at an end, and that we had nothing more to fear; and indeed we bought eight days' worth of happiness.

"This space being elapsed, we sold our little horse; and at the end of the first month we had absolutely nothing. What must we have done? What must have become of us? I knew no art but that of the husbandman: and the inhabitants of great cities look down with contempt on the art that feeds them. Theresa was as unable as myself to follow any other business. She was miserable; she trembled to look forward; we mutually concealed from each other our sufferings—a torture, a thousand times more horrid than the sufferings themselves. At length, having no other resource, I enlisted into a regiment of horse, garrisoned at Egra. My bounty money I gave to Theresa, who received it with a flood of tears.

"My pay kept us from starving; and the little works of Theresa—for indigence stimulated her invention—helped to keep a cover over our heads. About this time, a child coming to the world, linked our affections closer.

"It was you, my dear Gertrude; Theresa and myself looked upon you as the pledge of our constant love, and the hope of our old age. Every child that heaven has given us, we

have said the same thing, and we have never been mistaken. You were sent to nurse, for my wife could not suckle you; and she was inconsolable on the occasion: she passed the live-long day working at the side of your cradle; while I, by my attention to my duty, was endeavouring to gain the esteem and friendship of my officers.

"Frederic, our captain, was only twenty years of age. He was distinguishable among the whole corps, by his affability and his figure. He took a liking to me. I told him my adventures. He saw Theresa—and was interested in our fate. He daily promised that he would speak to Aimar for us; and as my absolute dependence was on him, I had his word, that I should have my liberty, as soon as he had made my father-in-law my friend. Frederic had already written to our village, but had had no answer.

"Time was running over our heads. My young captain seemed as eager as ever; but Theresa grew every day more and more dejected. When I enquired into the reason, she spoke of her father, and turned the conversation off. Little did I imagine that Frederic was the cause of her grief.

"This young man, with all the heat incident to youth, observed Theresa's loveliness, as well as myself. His virtue was weaker than his passion. He knew our misfortunes; he knew how much we depended on him; and was bold enough to give Theresa to understand what reward he expected for his patronage. My wife witnessed her indignation; but knowing my character to be both violent and jealous, she withheld the fatal secret from me; while I, too credulous, was daily lavish in the praises of my captain's generosity and friendship.

"One day, coming off guard, and returning home to my wife, who should appear before my astonished eyes, but Aimar! "At last I have found thee," exclaimed he; "infamous ravisher, restore my daughter to me! Give me back that comfort thou hast robbed me of, thou treacherous friend!" I fell at his knees: I endured the first storm of his wrath. My tears began to soften him: he

consented to listen to me. I did not undertake my own justification. "The deed is done," said I, "Theresa is mine: she is my wife. My life is in your hands; punish me; forgive your child—your only daughter. Do not dishonour her husband; do not let her fall a victim to grief; forget me, that you may more effectually remember her." With that, instead of conducting him to Theresa, I led him to the house where you were at nurse, my girl. "Come," added I, "come, and view one more, you must extend your pity to."

"You were in your cradle, Gertrude; you were fast asleep; your countenance—a lovely mixture of alabaster and vermillion—was the picture of innocence and health. Aimar gazed upon you. The big tear stood in his eye. I took you up in my arms; I presented you to him; "this too is your child," said I to him. You then awoke; and, as if inspired by heaven, instead of complaining, you smiled full upon him, and extending your little arms towards the old man, you got hold of his white locks, which you twined among your fingers, and drew his venerable face towards you. Aimar smothered you with kisses; and caught me to his breast. "Come," said he, "my son, shew me my daughter," extending one hand to me, and holding you on his arm with the other. You may judge with what joy I brought him to our house.

"On the road, I was afraid lest the sudden sight of her father might be too much for her: meaning to prevent any ill consequences, I left Aimar with you on his arm; I ran home, opened the door, and saw Theresa struggling with Frederic, exerting all her power to save herself from his base embraces. As soon as my eyes saw him, my sword was in his body. He fell; the blood gushed; he pierced the air with a cry of anguish; the house was full in a minute. The guards came; my sword was still reeking; they seized me: and the unfortunate Aimar just arrived to see his son-in-law loaded with irons.

"I embraced him; I recommended to him my wife, and my helpless baby, whom I likewise embraced, and then followed my comrades, who saw me lodged deep in a dungeon.

"I remained there, in the most cruel state, two days and three nights. I knew nothing of what was going forward: I was ignorant of Theresa's fate. I saw nobody but an unrelenting jailor, who answered to all my questions, that I need not trouble myself about any thing; for that in a very few hours, he was sure, sentence of death would be pronounced on me.

"The third day the prison gates were flung open. I was desired to walk out: a detachment were waiting for me; I was encircled by them, and led to the barracks green. From afar I perceived the regiment drawn up, and the horrid machine that was to put an end to a wretched life. The idea that my misery was now completed, restored the force I had lost. A convulsive motion gave precipitancy to my steps: my tongue of itself muttered Theresa's name, while I walked on; my eyes were wildly in search of her; I bled with anguish, that I could not see her; at last I arrived.

"My sentence was read; I was given into the hands of the executioner; and was preparing for the mortal blow, when sudden and loud shrieks kept back his falling arm. I once more stared round, and saw a figure half naked, pale, and bloody, endeavouring to make way thro' the guards that surrounded me. 'Twas Frederic. "Friends!" exclaimed he, I am the guilty man; I deserve death; pardon the innocent; I wished to seduce his wife; he punished me; he did what was just: you must be savages, if you attempt his life." The colonel of the regiment flew to Frederic, in order to calm him. He pointed out the law that doomed to death whoever raised his hand against his officer. "I was not his officer," cried Frederic; "for I had given him his liberty the evening before under my hand. He is no more in your power." The astonished officers assembled together. Frederic and humanity were my advocates: I was brought back to prison: Frederic wrote to the minister—accused himself—asked my pardon—and obtained it.

"Aimar, Theresa, and myself, went and threw ourselves at the feet of our deliverer. He confirmed the present he had made me of my liberty, which

he wished to heighten by others that we would not receive. We returned to this village, where the death of Amar has made me master of all he possessed, and where Theresa and I shall finish our days, in the midst of peace, happiness, and you, my children."

Peter's children had crept close to him during the narrative; and, though finished, they still were in the attitude of people who listen; the tears trickled down their cheeks. "Be happy," said the good old man to them, "heaven has at last rewarded me with your love." With that he embraced them all round; Louisa kissed him twice; and all the happy family withdrew for the night.

LAW INFORMATION.

Case respecting a promise of marriage.

ON Tuesday, came on to be tried, by a special jury, the cause, Cammock, per guardian, versus M^r Anuff, for a breach of promise of marriage. The evidence was clear and decisive, of a promise made by the defendant, to marry miss Dorothy Cammock, the plaintiff, within twelve months, from the 24th of July, 1788: That in consequence of such promise, he was received into the lady's family, and by the lady herself, in every respect as her intended husband: That he carried himself as the lover extremely well, till about May last, when his attentions to the lady very sensibly declined. Upon application, his excuse was, first, hurry of business; but, when pressed by the lady's friends, he declared absolutely off the match, alleging the very low state of his finances in excuse, although, in support of his address, he had declared himself in the receipt of 4000*l*. per annum.

The defence set up by Mr. M^r Anuff, was not contradictory to the promise, or the breach of that promise; but that upon mature deliberation, he found his circumstances by no means so promising as he at first had flattered the lady and himself with; and made it certainly apparent to the court and jury, that it would not have been eligible for him, in those circumstances, to have enhanced his annual expen-

diture, by a matrimonial connexion. From this it was urged, in his behalf, that, instead of condemning his conduct, by a verdict against him, he merited applause, for his candour in declining his prospects of hymeneal felicity, rather than subject a lady, whom he admired and esteemed, to penury and distress,—especially that lady, whom he had taught to believe (from miscalculation of his affairs) she should move in the sphere of life her merits and respectable connexions entitle her to.—The jury, after retiring about an hour, found the defendant guilty, and assessed damages, 3*g*5*l*. with costs. *Kingdon, Sept. 12, 1789.*



Law Case.

The following cause was tried in the court of king's bench, London, on Friday May 8, 1789.

THE assignees of Vaughan and co. bankrupts, against Smith, Kemble and co.—The plaintiffs, as assignees, brought their action against the defendants, to recover the value of a quantity of sugars, sold to the defendants, by Vaughan and co. the bankrupts.

The defendants pleaded a set-off of a bill of exchange for 600*l*. accepted by the bankrupts. The bill was payable to the order of William Broadhurst, the drawer thereof, and was by him indorsed to messrs. Towgood and Danvers, who, being apprehensive of the insolvency of Vaughan and co. and having heard rumours that they were expected to stop payment, applied to the defendants to discount the bill, at the same time communicating their apprehensions as to Vaughan and co. but intimating that the defendants, if they took the bill, could secure themselves, by buying sugars from Vaughan and co. Accordingly, the defendants discounted the bill, and soon afterwards bought the sugars, which became the subject of this action.

About three weeks afterwards, Vaughan and co. became bankrupts (before the bill of exchange, in question, became due) and the assignees insisted, that the bill could not be set off against the debt due for the sugars. But on a special case, reserved for the

opinion of the court of king's bench, judgment was given in favour of the defendants: the transaction was declared to be perfectly fair and proper, on the part of the defendants, as well as of Towgood and Danvers, who had, in the opinion of the court, used only what the law terms "due diligence" in protecting themselves against the apprehended insolvency of their debtor.



Law Case.

London, Dec. 18, 1788.

AT Guildhall was tried before Mr. Justice Heath, and a special jury, a cause of great consequence to trade in general, and manufacturers in particular. The action was brought by messrs. Quintin, of London, manufacturers, against messrs. Vigar, Stephens and co. carrying on part of the same trade at Bristol, for enticing away three of their apprentices and a journeyman, which being proved to the satisfaction of the court and jury, a verdict was given for the plaintiffs, for 300*l*. It was agreed and admitted, that the hiring of a journeyman, whilst in the service of another master, without the latter's consent, though only engaged from week to week, was enticing away, and therefore actionable; and that the same law extended to servants of all denominations.



Law case. In the court of errors and appeals of the state of Delaware.

Benjamin Robinson and William Robinson, appellants, against the lessee of John Adams, respondent. P. 396.

WE can easily account for inaccuracies in the testator's expressions, from sickness, hurry, want of knowledge or assistance. But we cannot account for such an inequality of distributions, as is required by the construction, in behalf of the respondent. The testator's offspring appear to be alike objects of his parental affection and providing care. Yet, what a needless, useless, encumbering diversity of regulations is introduced, if Thomas took a fee simple, with an executory devise to Elizabeth—William a fee tail, with an estate for life, or a fee tail limited to Francis—Ann

a fee tail, with an estate for life, or a fee tail limited to Valiance—and John a fee simple, with an executory devise to Comfort?

On the contrary, the construction in favour of the appellants, gives a sameness of arrangements, correspondent with the sentiments of the father towards his children. Each son took an unfettered estate, that is, a fee simple in the part devised to him—of course, if any son "came to lawful age," he might dispose of his share as he pleased—if any son died "before he came to lawful age," leaving issue, the estate went to that issue—but if any son died before he came to lawful age, and without leaving issue, the estate went to the substitute. This we believe to have been the testator's design; and, we think, he manifested in it great prudence, and paternal impartiality.

It has been observed by the respondent's council, "that this construction would carry the estate entirely from the descendants of the testator, into a strange family, and the respondent's lessor would suffer the peculiar hardship of being stripped of the inheritance, though he is heir of the testator and of the devisee."

It is impossible to calculate hardships of this kind, amidst the mutabilities of human affairs. It is to be remembered, that William Bagwell, the devisee and heir of the testator, was succeeded by his son William, and this William by his two daughters. Thus the construction of the council for the appellants, allows a fee simple to the heirs of the testator and devisee for several generations. About fifty years ago, as appears from the records of the orphans' court, the mother of the respondent's lessor obtained a partition with her brother William the second, of the lands devised by the testator to William the first, their father, as of an estate in fee simple; and the lands, assigned to her for her share, are held under that partition to this day. It would have been thought at that time extremely hard, if it had been insisted, that William, the grandfather of the respondent's lessor, took in fee tail the lands devised to him by this will; that therefore, upon his death, the whole descended to his son William, and that his daughter Agnes

was not entitled, under our intestate acts, to any part of so large an estate. Now, the complaint is directly reversed, and the construction that enured to the great benefit of the mother, is reprobated by the son claiming under her title. Yet, if either of the daughters of William the second had issue surviving, the same interpretation of this will would now suit the respondent's lessor, that heretofore was so advantageous to his parent.

The true construction of a will is to be collected from the words; and is not to be affected by collateral circumstances; consequently, not by events subsequent, remote, uncertain, and utterly unconnected with contingencies alluded to in the will*. This rule cannot be departed from. The security of property, and the order of society, depend on an observance of the laws. Whatever may be the sensations of any of us, as a man, with respect to the situation of the respondent's lessor, they are superseded by the duty of a judge. They must be disregarded, though they may not be forgotten.

Our construction of this will appears to us, to be strengthened by three considerations, which we shall now mention.

First. It is very credible, that when a person undertakes to make a will, he means to dispose of all his property; and, though we do not perceive any sufficient reasons why this well-founded presumption might not be generally adopted as a guide in the interpretation of wills, especially in devises to children and other lineal descendants of the testator†, where the

NOTES.

* 3 Peere Will. 259. Salk. 232, 235. 3 Burr. 1581.

† A remarkable distinction taken between a devise to a child, and a devise to a stranger, in Croke, Eliz.—Fuller against Fuller. In modern cases in law and equity, 132, it was held, that where a settlement is made by a lineal ancestor, in consideration of the marriage of his son, all the remainders to his posterity are within the consideration of that settlement; but when it is made by a collateral ancestor, after the limitations to his own children, all the remainders to his collateral kindred are voluntary,

gifts, dictated by fatherly affection, as its last acts of kindness, may justly be deemed as designed to be the most beneficial to the objects of it, if no restriction is declared; yet it must be acknowledged, that we do not recollect any case where it has been so adopted. Judges, however, have availed themselves of short and slight intimations in wills to this purport; have exerted themselves to render the disposition commensurate to the intention; and have particularly relied on such words as are used in this will,—"for my worldly estate," &c. to prove, that the testator designed to devise all his interest in an estate‡. This inference appears to be peculiarly apposite, where a question arises from various terms of limitation, or expressions tantamount, whether a devisee takes in fee simple or in fee tail.

The respondent's council, though strenuous advocates for their client's pretensions, have been too candid to assert, that the estate given to William, and, according to their idea, contracted to an estate tail, should, on failure of his issue, expand into a fee simple in Francis. They say, "Francis was to take the like estate that was limited to William, that is, an estate tail." Of course, a reversion would remain undisposed of by the testator, contrary to his design, manifested, not only by the preamble of his will, but also by the conclusion of it, in which last he uses these words—"all the rest of my personal estate, I give," &c. This clause, we believe, never would have been restricted to his "personal estate," if he had not been fully persuaded, that he had before disposed of all his real estate.||

Secondly. If it had been the intention of the testator, to give an estate tail to any of his sons, what reason can be assigned, why he did not use plain words for that purpose? He well knew even the technical terms for

NOTES.

‡ *Caus. temp. Talbot, Ibbetson against Beckwith. Tanner against Morse, Bernardist. Tuffnill against Page. Cowper 355. 1 Wilson, Grayson, against Atkinson. 3 Burr. Throgmorton against Holliday.*

|| *Cowper, 307. 3 Burr. 1622. 1623.*

creating such an estate; and repeatedly employed them in limitations over to his daughters, Elizabeth and Comfort, that, to each of them, being "to her and the lawfully begotten heirs of her body forever." But, such terms he never admitted in the devise to any of his sons, nor indeed to any of his unmarried daughters.

A case was quoted by the counsel for the respondent, from Pollexfen, to shew, that, where there is a variety of expression, there is a variety of intention. That case is very properly applicable here, for difference of language, not otherwise to be accounted for, must certainly proceed from difference of meaning.*

Thirdly. It is inconsistent with the testator's intention, to construe the devise to his son William to be a fee tail, because it is inconsistent with that meaning which he himself has affixed to the words of the devise. ‡ It is observable, that the testator, in the latter part of his will, gives personal effects to the legatees "and their heirs forever." Though these words, in such cases, are not necessary; yet they incontestably shew the donor's opinion of their force, and demonstrate his determination to give the most absolute estate he could give. The same was his determination, as he used the same words, in the devise to his son William, and therefore the son took a fee simple.

The judgment of the supreme court reversed.

A N E C D O T E S.

SOON after the late sir William Johnson had been appointed superintendent of Indian affairs in America, he wrote to England for some suits of clothes richly laced. When they arrived, Hendrick, king of the five nations of the Mohawks, was present, and particularly admired them. In a few days, Hendrick called on sir William, and acquainted him that he had had a dream. On sir William's enquiring what it was, he told him, he had dreamed that he

had given him one of those fine suits, he had lately received. Sir William took the hint, and immediately presented him with one of the richest suits. Hendrick, highly pleased with the generosity of sir William, retired. Sir William, some time after this, happening to be in company with Hendrick, told him that he had also had a dream. Hendrick, being very solicitous to know what it was, sir William informed him, he had dreamed that he (Hendrick) had made him a present of a particular tract of land (the most valuable on the Mohawk river) of about five thousand acres. Hendrick presented him with the land immediately, with this shrewd remark: "*now, sir William, I will never dream with you again, you dream too hard for me.*"

THE Jews of Gibraltar, according to annual custom, had prepared a present for the governor. He was by some means informed it was but a thousand shekels; and refused to admit them to an audience, under the pretext of their being the descendants of those men who had crucified our Saviour. They easily discovered the real cause, and raised two thousand. He then received them very graciously, remarking that, "they, poor people, had no hand in the crucifixion."

DURING lord North's administration, a dispute happened one evening at the Smyrna coffee house, whether the premier had any honour. A gentleman who had been heartily piqued at a refusal from lord North, would not allow him any share of it; whilst another as warmly espoused his having pretensions to every virtue. The subject created much warmth on both sides, and might perhaps have terminated very disagreeable to one or other of the parties, had not one of the company played the mediator,—and very archly said,—"There was no doubt of his honour, who had purchased half the honour of the nation." A general laugh ensued, at which my lord's advocate seemed nettled, and, turning upon his heel, said,—"*it was a purchase very easily made.*"

NOTES.

* 2 Wilfon, 31.

‡ 2 Ab. of cases in eq. 298. 302.

⁴
A Philosopher and a wit were at sea, and a high swell rising, the philosopher seemed under great apprehensions lest he should go to the bottom. "Why," observed the wit, "that will suit your genius to a tittle; as for my part, you know, I am only for skimming the surface of things."

⁵
A French nobleman, who waited upon the late Frederic of Prussia, at Sans-Souci, expressed his astonishment at seeing the emperor's portrait in every apartment of the palace; and asked the king what might be the reason of his thus honouring the portrait of his greatest enemy?—"Oh!" said the king, "the emperor is a busy and enterprising young monarch, and I find it necessary always to have an eye upon him."

⁶
IN the year 1776, there was a general muster held in order to get people to turn out. Of the Turk-eye battalion, two captains told their men they were willing to assist in gaining independence, and asked who would follow their example? an equal number of men from each of their companies offered themselves: and one of the captains proposed tossing up for the command; the proposal being accepted by the other, they proceeded to decide, when fortune declared in favour of the proposer, who nobly offered his fellow-captain the command, saying, "he would act as his lieutenant." His reason for behaving in this manner, was (to make use of his own words) "because the other had been in service, and was consequently more capable of commanding than himself, who had not." The other as nobly refused the proffered superiority, saying, "fortune has declared for you, and I will, in obedience to her dictates, act as your lieutenant."

⁷
IN the early part of his life, Mr. Whitfield was preaching in an open field, when a drummer happened to be present, who was determined to interrupt his pious business, and rudely beat his drum in a violent manner, in order to drown the preacher's voice. Mr. Whitfield spoke very loud, but was not as powerful as the instrument,

He therefore called out to the drummer in these words, "friend, you and I serve the two greatest masters existing—but in different callings—you beat up for volunteers for king George, I for the Lord Jesus—in God's name, then, let us not interrupt each other; the world is wide enough for both; and we may get recruits in abundance." This speech had such an effect, that he went away in great good humour, and left the preacher in full possession of the field.

⁸
ONE day, as Charles XII. of Sweden was dictating some letters to his secretary, to be sent to court, a bomb fell on the house, pierced the roof, and burst near the apartment in which he was. One half of the floor was shattered to pieces; but the king's closet, being partly surrounded by a thick wall, suffered no damage; and, by an astonishing piece of fortune, one of the splinters which flew about in the air, entered at the closet door, which happened to be open. The report of the bomb, and the noise it occasioned in the house, which seemed ready to tumble, induced the secretary to drop his pen. "What is the reason," said the king with a tranquil air, "that you do not continue writing?" The secretary could only say, "Ah, fire! the bomb!" "Well," replied the king, "what has the bomb to do with the letter I am dictating to you? Go on!"

⁹
LOUIS XIV. one day said to the duke of Schomberg, "had it not been for your religion, you would have been long since a marshal of France." "Sire," replied the duke, "since your majesty thinks me worthy of that rank, I am satisfied; I aimed at nothing more."

¹⁰
FOOTE, on seeing a nobleman, who had very thin arms and legs, with a pot belly, said, in his usual sarcastic spirit, he looked like a greyhound that had got the dropsy.

¹¹
AN Indian sachem was asked whether his subjects were free? "Why not?" said he, "since I myself am free, tho' their king."

A W I N T E R - P I E C E.

NOW winter rules the year, and, wing'd with frost,
 The piercing northwest flies—Upon the plain,
 And on the neighb'ring hills, the leafless trees
 Stand rueful—Among their boughs and waving
 Tops, whistles the chilling blast—and ruthless
 From the sap-left sprig beats off the ling'ring leaf.
 Thick spread, the fallen foliage strews the ground;
 And, set in motion by the whirling gale,
 Plays in light eddies round the rocking trees.
 None of the feather'd songsters of the shade
 Are seen, or heard, save the lone wood-pecker,
 Beating with harden'd bill, the deaden'd stump.

The cattle, homeward from the wither'd field,
 Plod, drooping—and, suppliant, low around
 Their wonted stalls. Hush'd is the cheerful noise
 Of rural life, and nought is heard, save, o'er
 The wild, the hunter's gun, loud thund'ring far;
 Or, from the echoing woods, the founding strokes
 Of wood-cutter, felling the sturdy oak.

No more, at eve, the twitt'ring martins wheel,
 With giddytwing, around the chimney-top;
 Nor through the dusk, flitting from spray to spray,
 The fire-flies glance—In marsh or stagnant pool
 No more the bullfrog hoarse is heard—nor from
 The grove the turtle coos her song of love.

While thus the sadden'd year moves slowly on,
 And cheerful friends, with gladd'ning mirth no more
 Beguile the tedious hours—let me close sit
 By the warm hearth—peruse th' historic page,
 And there, deep rapt in former times, converse
 With sages of the ancient world—There mark
 How empires rose, and by what means they fell.
 There see the hero on his course to fame—
 Behold him lab'ring for the common good,
 The patriot-virtues glowing in his breast;
 Or see him stretch'd on the ensanguin'd plain,
 His manly breast gash'd o'er with many a wound,
 And with his latest breath, beseeching heav'n
 To shed its blessings on his country's cause.

Or, should fair fancy's scene delight me more,
 Let me, enraptur'd, read the muse's song—
 There catch the poet's fire, and soar with him
 In his sublimest flights—now scale the sky—
 Wheel round the spheres—and stretch my daring wing
 To worlds unknown. From thence descending
 To the walks of men—mourn, with the tragic muse—
 Nor blush to weep, oft as the various scenes
 Of innocence distress'd, demand a tear.

Or in the palace proud, and lofty dome,
 Visit the higher circles of the great,
 Where easy wit, and polish'd manners shine—
 Or thence, to softer scenes of rural life—
 Those sweet retreats, the muse's fav'rite theme,
 Where innocence, and sweet contentment dwell—
 There in the grove, or by some purling stream
 Hear Damon tune his pipe, and Phyllis sing—

See flocks and herds at careless random rove.
And nymphs and shepherds telling tales of love.
Thus, other cares apart, let me pass off
Those lonesome wintry hours, till from the south
"Look out the joyous spring, look out and smile."
Bladenburg, (Maryland)

An elegiac epistle, written by John Osborn, at college, in the year 1735, upon the death of a sister, aged 13, and sent to another sister at Eastham.*

DEAR sister, see the smiling spring,
 In all its beauties, here ;
 The groves a thousand pleasures bring,
 A thousand grateful scenes appear ;
 With tender leaves the trees are crown'd,
 And scatter'd blossoms, all around,
 Of various dyes,
 Salute our eyes,
 And cover o'er the speckled ground.
 Now thickets shade the glassy fountains ;
 Trees o'erhang the purling streams ;
 Whisp'ring breezes brush the mountains ;
 Grotts are fill'd with balmy streams.
 But, sister, all the sweets that grace
 The spring, and blooming nature's face—
 The chirping birds,
 Nor lowing herds,
 The woody hills,
 Nor murmur'ing rills,
 The sylvan shades,
 Nor flow'ry meads
 To me their former joys dispense,
 Though all their pleasures court my sense :
 But melancholy damps my mind ;
 I lonely walk the field,
 With inward sorrow fill'd,
 And sigh to ev'ry breathing wind.
 I mourn our tender sister's death,
 In various plaintive sounds ;
 While hills above, and vales beneath,
 The fault'ring notes rebound.
 Perhaps, when in the pains of death,
 She gasp'd her latest breath,
 You saw our pensive friends around,
 With tears bedew the ground,
 Our loving father stand,
 And press her trembling hand,
 And gently cry, " my child, adieu !
 We all must follow you."
 Some tender friend did then perhaps arise,
 And close her dying eyes :
 Her stiffen'd body, cold and pale,
 Was then convey'd within the gloomy vale
 Of death's unhallow'd shade.
 Weak mortals, O ! how hard our fate !
 How sure our death—how short our date !
 We all are doom'd to lay our heads
 Beneath the earth, in mournful shades,
 To hungry worms a prey.
 But, loving sister, let's prepare,
 With virtue's steady feet,
 That we may boldly meet
 The rider of the pale horse void of fear.
 But why should you and I forever mourn

NOTE.

* For memoirs of John Osborn, see Vol. V. page 587.

Our dear relation's death? She's gone—
 We've wept enough to prove
 Our grief, and tender love:
 Let joy succeed, and smiles appear,
 And let us wipe off ev'ry tear:
 Not always the cold winter lasts,
 With snows and storms, and northern blasts:
 The raging seas with fury tost,
 Not always break and roar;
 Sometimes their native anger's lost,
 The smooth-hush'd waves glide softly to the shore.



The oak.

AL O N G fair Schuylkill's verdant banks, there grew,
 In vig'rous pride, a lovely oak, and rear'd,
 High tow'ring, its umbrageous verdant head.
 In a delightful mead, fast by the lapse
 Of an irriguous stream it stood, whose roots
 The foll'ring humor quaff'd; among whose boughs
 Th' aerial feather'd race tun'd their soft notes,
 And gentle zephyrs play'd; around, the gay
 Enamell'd lawn with grace attractive caught
 The eye, and humble cots, and forests brown,
 And distant fields with golden harvests crown'd.
 There smiling spring its earliest influence shed,
 There faded last fair summer's ling'ring bloom.
 Oft to whose shade repair'd th' athletic youth
 Around; there mildly pleasing sport stole fast
 Their hours away—their pleasurable hours.
 But now, alas! fair tree, no more thou stand'st
 To draw attention's gaze, no more the swains
 Thy beauteousness admire; but torn up sheer
 By th' everblasting whirlwind's flying wing,
 With all thy boughs pluckt off by winter's hand,
 Lie'st a rude trunk, a harbor for vile worms;
 Half in the lovely stream, whose waters round
 Thee foaming, seem thy loss to wail, the grace
 Of all the country-village swains around.
 Thus I've with youthful strains, and little skill,
 In fair æonian art, delightful tree,
 Thy mem'ry snatcht, from dark oblivion's veil.

S. C.



FOREIGN INTELLIGENCE.

Paris, October 9.

National assembly.

THE following letter was received
 from the king:

"Gentlemen,

"The instances of attachment and fidelity which I have received from my good city of Paris, and the invitation of the commons, have determined me to fix my permanent abode there; and in the confidence I have, that you will not separate from me, I invite you to choose commissioners, to select the most proper place for the

national assembly to sit in. I shall give the necessary orders to prepare it. I shall facilitate and expedite the measures which mutual confidence may require.

"LOUIS."

This letter occasioned some debate, and some members argued against their removal to Paris.

It was put to the voice, and by a great majority it was decided that they should remove to Paris, conformable to their declaration to the king.

Several of the representatives, imagining that the national assembly is on the eve of being deprived of their

liberty, and, that, on its removal to Paris, it will be dangerous to manifest opinions contrary to those of the multitude, have demanded passports.

Several members complained of the insults offered to themselves and other representatives, by the populace; among other things, it was observed, that they wanted to assassinate M. Tirieu, one of the deputies who accompanied the king to Paris. One gentleman asserted, that his own house would have been plundered, had it not been for the national militia—The subject was adjourned.

Oct. 13. Several persons of distinction are taken up and in prison; fifteen thousand uniforms, made like those of the militia, having been found in their houses, besides many letters and papers, which indicate a very alarming design. Several other persons—among whom is said to be the count d'Estaing—have retired: and the report is, that upwards of twenty thousand men have been secretly kept in pay for some time past, who were to appear openly, when things were ripe for execution. A list of the principals in this association is handed about: but their names are too respectable to announce them, till matters are better authenticated: in short, all Paris is alarmed on this occasion. In the meantime, the royal family remain in the Thuilleries, guarded only by the militia, for the gardes du corps have been sent away.

Near three hundred of the members of the national assembly have already desired leave to withdraw.

All the barriers are shut, no person being permitted to go out of Paris without passports.

The queen of France owes the preservation of her life to the gallant marquis de la Fayette.

Oct. 17. The pecuniary presents, lately made to the French national assembly, have been great, and are increasing daily. The duke of Orleans has given 2,500,000 livres; M. Neckar 100,000 livres; l'abbé de St. Non, 4000 livres, one moiety of his abbey; M. Nicola, president of the chambres des comptes, resigned a pension of 10,000 livres, and gave 25,000; M. de Atigre, a refugee in England, 100,000 crowns. The invalid guards, though poor, presented 300 livres; the canons of St. Gen-

vieve sent to the mint a silver chandelier, the finest, perhaps, in France; its weight 248 marks, of eight ounces each. The company of booksellers gave 20,000 livres; the patriotic society, of Versailles, gave 88,000 livres; a private soldier, of the Paris militia, 318; M. Rigand, 1000; the pupils of an academy, 1400, &c. A lady of easy virtue sent 12,000 livres, with the following note, "Gentlemen, I have a heart formed for love. I have realized the enclosed by my amours, and I remit it to you as an offering to my country. May my example be followed by my companions of all classes." At Havre, the citizens have presented all their silver buckles, &c. the governor his plate: M. Rial, plate to the amount of 15,000 livres, also a remittance of 10,000 livres. These sacrifices, with what will follow, must soon make the treasury of France respectable.

Oct. 20. Some of the populace, headed by the women, lately attempted to set fire to the hotel de ville; the intended conflagration was, however, prevented by a youth, who, at the imminent hazard of his life, rushed forward; and, in a most surprising manner, extinguished the flame, which had just caught the building. On being desired, by some of the members of the national assembly, to demand a reward for his service and intrepidity, he nobly refused all pecuniary compensation; and requested only, that he might have the honour of having his name enrolled in the Paris militia.

Vienna, October 6.

His majesty, the emperor, has been pleased to raise the prince of Saxe Cobourg, to the rank of field marshal, in recompense for the signal services he has rendered his country; and particularly, in the late victory over the army of the grand vizir, on the 22d of September.

Yesterday evening, another courier arrived here from the prince de Cobourg, with the important news, that he had again attacked and beaten the grand vizir, and driven him back, as far as the Danube; that 3000 Turks were left dead on the field; and that our troops took 17 pieces of cannon, 300 loaded camels, 400 buffaloes, 2000 oxen, 5000 loaded waggons, 70,000

tents, with the whole of the grand vizir's treasure and equipage; and that the booty was altogether immense.

Oct. 7. The prince of Anhalt Bernbourg, who commands the van-guard of the Russian army, under prince Potemkin, lately attacked a seraskier of three tails, at the head of a body of between 7 and 8 thousand Spahis, on their march to succour the garrison of Bender, over whom he obtained a complete victory, near Kaufcan, on the Niefter.

Eight hundred of the enemy were killed on the spot, and 120 taken prisoners; among whom is the Ottoman general. The artillery has also fallen into the hands of the Russians.

London, October 10.

After the naval engagement, in which the Swedes manifested so much gallantry, but of which the issue was unfavourable, the king ordered new levies to be made, and the burghesses to be embodied, even to the manufacturers and artisans; but, after a time, this order was countermanded, as the fleet was soon found to be in a condition to resist the utmost efforts of the enemy.

Oct. 12. The French assembly have confirmed the ancient salique law, which absolutely and perpetually excludes all women from sitting on the throne.

The French are advancing to follow the example of the emperor, in giving the Jews the protection of government. In Alsace, they were threatened to be murdered, which produced this resolution in the national assembly. It is believed, that they will be shortly tolerated in France, and permitted to enjoy the rights of citizens.

Oct. 13. The eyes of Europe, which have long been fixed on France, are soon likely to be attracted to another quarter. Some grand scenes are on the eve of being presented in the Netherlands; and the emperor, if he be not entirely despoiled of his authority over the Belgic provinces, will probably have his authority curtailed within the proper limits of a count de Flandres.

Oct. 14. It is most generally believed, by every well-informed person in France, that it was his christian majesty's intentions to have escaped

to Metz, if he had not been prevented by the Parisians.

Oct. 15. That the empress of Russia has insulted the English flag, is certain; and so far has she acted against her own principles, but certainly not against ours; for denying, as we do, that free bottoms make free goods, we cannot justly complain that her cruisers attack our trade. Two English vessels, loaded with stores, were stopped by the Russian ships; but an English cutter, in both circumstances, gave them liberty; and we do not learn that any vessel has been carried into port.

Oct. 17. When the Parisian women attacked the king's body guards at Versailles, a girl of eighteen years discharged a pistol at the head of one of the most violent of the soldiers, and killed him on the spot.

Some extraordinary measures are expected in consequence of the disturbances in Flanders. The king of Prussia has a large army in the principality of Cleves, and the Dutch have a fleet at Flushing, ready to secure the Scheldt.

By a resolution of the national assembly, the French king is hereafter not to be styled king of France, but king of the Franks or freemen.

Oct. 20. The troubles in Corsica have been much exaggerated. Some houses have been burnt at Bastia, and several unpopular persons have fled, but nothing has been done yet amounting to a revolution. M. de Barin, commander of the island, is shut up in his citadel, and has sent home for a reinforcement of eight battalions, which, however, the French government does not seem disposed to grant.

Several of the princes and prelates of Germany, who are affected by the resolutions of the national assembly of France on the 4th of August, sent memorials to his most christian majesty, complaining of those resolutions, as infractions of solemn treaties. His majesty returned them for answer, that it was not in his power to give them any redress; but he would refer them to the national assembly, whence, and not from him, the resolutions had proceeded, of which they complained.

Oct. 24. M. Bouche, deputy from Aix, lately declared, that the number

of French who had left their country, exceeded 80,000, and that their subsisting revenue might be stated at 13 or 20 millions.

AMERICAN INTELLIGENCE.

Boston, November 18.

It is a circumstance worthy of remark, and at the same time reflects honour on Great Britain, that the artists, patronized in that kingdom, by his majesty, are principally Americans. West is historical painter to, and a favourite of his majesty—Copley also stands high in the royal favour—and we lately have seen, that our young townsman, Brown, has been appointed painter to his royal highness, the duke of Clarence.

Dec. 7. We inform, as evidencing an increase of commerce, that one hundred and eighty-two ships and vessels have arrived in this port, since the 4th of August last, from foreign parts. The number of vessels building, rigging, and repairing, in this harbour, and in the several rivers, is another evidence of increasing navigation.—“Fearless, now, of hostile fleets,

Commerce spreads her native sail;
Peace the honest merchant greets—

While plenty flows on ev’ry gale.”

Worcester, (Mass.) Dec. 10.

The proprietors of the cotton manufactory in this town, have lately erected buildings suitable for the purpose, and taken other measures to carry on the business extensively. A large quantity of suitans, jeans, and some pieces of corduroy, are now ready for sale. Experiments have been made by purchasers, of the wear of these cloths, and it is with pleasure we can assure the public, that those made in Worcester, will last, and retain their colour and beauty, nearly double the time of those of the same fineness and price, made in England.

Salem, November 24.

It is remarkable, that a horrid plot of the negroes of Martinique to recover their liberty, was discovered about the same time their masters were thanking heaven for their own deliverance from the yoke of despotism. Poison, conflagration, and deadly weapons, were the means by which they were to have extirpated every white man from the island. The white women

were to have been saved for their wives; and the mulattoes for servants. They were betrayed, and the ring-leaders taken. Five of them have been hanged, and he, who was to have been governor of the island, broke upon the rack; the latter, in the agonies of death, turned his face with disdain from the cross, which was presented him to kiss; and discovered an equal contempt for christians and their God.

New York, December 17.

We hear, that on Tuesday last, the cargo of the sloop Betsey, John Ingraham, master, from New London, was seized by the collector of this district, in conformity to the 29th section of the act for regulating the coasting trade—a hoghead of rum, and some other articles, being found on board, which had been inserted in the manifest, after it had been sworn to and certified by the collector at New London.

Charleston, Nov. 24.

The state of Virginia will not make more than half a crop of tobacco this season, owing to nipping-frosts late in the spring.

Notwithstanding the depredations of Indian parties in the state of Georgia, the frontier continues greatly to increase in strength, a great number of persons coming there to settle from the northern states.

The drought which has so parched the surface of this state, exceeds in its continuance any other known by very old citizens. Numberless brooks and springs are entirely dried up, and the exhausted, thirsty traveller is frequently obliged to go some miles out of his road, before he is able to procure the refreshment of a drink of water.

Georgetown, Dec. 2.

A letter from a gentleman near Fort Wheeling, dated November 12, 1789, says, “the spirit of emigration to the western regions rages more than ever: upwards of 3000 persons are encamped near this place, some of whom have been here ever since July last: they are detained on account of the high freshes in the river—want of boats, provision, &c. Their situation is truly deplorable, as this part of the country is but thinly settled. This large body of people with their horses and cattle, have raised the price of

provisions to an alarming height, which has induced many of them, who were able, to return, while others are spending their little all in expectation to see the waters fall."

Philadelphia, December 21.

A letter from a principal house in Amsterdam, dated the 24th September, 1789, received at Bolton, informs "That American bonds, bearing 5 per cent. interest, fell on the exchange at 2 per cent. above par, and those bearing interest of 4 per cent. from 96 to 99 per cent. and are rising. This is the happy effect of the new federal government."

A letter from Paris, to a gentleman in Newhaven, dated August 30th, 1789, says, "it is extremely gratifying, my dear sir, to have spent the last six months in this country—where, next to the American revolution, the greatest and most wonderful scenes are unfolding. The progress of truth and reason is beyond calculation. We might have believed from theory, that government would meliorate—that the people might discover in time, that as laws are made for them, they ought to be made by them—that kings should be but executive magistrates, and therefore subject to the laws. But when we consider the slow and almost imperceptible progress of such ideas from the date of Magna Charta to the last revolution in England, their retrograde motion from the time of the great Henry, to Louis XVIth. in France, and their dormant state for many ages in all the rest of Europe, it is astonishing that so many events of this nature should be crowded into fifteen years. It is but since the American war that the freedom of thinking has been by any means general in France. The example of America in her theoretical ideas of liberty has certainly been a great advantage to France. But greater, if possible, will be her example in her development of these ideas in her government. The constitution of France, which is in a good degree of forwardness, will be as nearly like the American, as is consistent with having an hereditary chief magistrate. If they had not a king on hand, they would not create one. They will now preserve him with such powers as the people choose to dele-

gate to their executive chief. And he will gladly accept of what they may give him, acknowledging the source from whence it flows, the *jus divinum* of his fellow citizens.

"The other nations of Europe have now an example nearer home—and they will soon follow it. The gospel of civil liberty will run and be glorified—nations are coming to its light, and kings to the brightness of its rising. It cannot be ten years before Germany, Spain, and South America will be free: how many other states will precede, and how many follow them, cannot now be known; but all Europe must do one or the other. One principal occasional cause of these revolutions, is the immense national debts accumulated by the expensive wars of the present century. Spain finds a deficiency of eighty millions. The emperor's dominions are exhausted by war and taxes. No sovereign in Europe can impose a new tax, without the consent of the people, for France could not do it. Spain must assemble her cortes, or submit to a bankruptcy, either of which is the direct road, and the first, the beaten road, to a revolution. Assembling the notables here, has done the same thing."

Philadelphia dispensary.

The number of patients admitted from December 1, 1788, to December 1, 1789, is 1863

Of whom the number cured is	1561
Dead	85
Relieved	88
Incurable	2
Discharged disorderly	19
Removed to the hospital and house of employment	12
Remaining under care	96
	1863
Account of receipts and expenditures.	£. s. d.
Balance in the treasurer's hands last year,	17 13 5
Received from contributors	421 15 1
Balance due to the treasurer this year	24 14 4
	£. 461 2 10

Expenditures.

	£.	s.	d.
House expenies and medicines	289	10	8
House rent	50	0	0
Apothecary's salary	100	0	0
Printing and stationary	24	12	2
	£. 464	2	10

MARRIED.

MASSACHUSETTS. *At Hatfield.* Deacon Elijah Morton to mrs. Martha Barlow, aged 67!

NEW YORK. *In the capital.* Mr. Peter Callet to mifs Susan Meeks.—Mr. Thomas Cadle to mifs Fish.—Mr. John Evers to mifs Titus.—Dr. P. Van Noemer to mifs Deborah Ferris.—Capt. T. G. Lockhart to mifs Phebe Oakley.

NEW JERSEY. *In Elizabeth-town.* Dr. Ichabod Halfey to mifs Polly Williams.—Mr. Caleb Halfsted to mifs Nancy Spencer.

PENNSYLVANIA. *In Philadelphia.* Capt. Gwinn to mifs Mary Lukens.—Mr. Robert Wharton to

mifs Salome C. Chancellor.—Mr. Henri to mifs Eliza Osborn.

MARYLAND. *At Elkton.* Mr. Francis Partridge to mifs Hannah Gilpin.—Mr. William Cooch to mifs Peggy Hollingsworth.

In Baltimore. Captain William Hughes to mifs Betfy M'Kirdy.—Mr. Joseph Evans to mifs Eliza Davey.

DIED.

MASSACHUSETTS. *At Kittery.* Lady Mary Pepperell.

At Ashburnham. Mr. Ephraim Stone, aged 83, and his wife, aged 76.

NEW YORK. *In the capital.* Mr. George Carrol.

DELAWARE. *Near Lewis Cross roads.* Col. Isaac Carty.

In Kent county. Mrs. Margaret Miller.

In Wilmington. Mrs. Martha Adams.

MARYLAND. *In Baltimore.* Mrs. Margaret Profter.

VIRGINIA. *In Richmond.* Richard Cary, esq.

In the western territory. Hon. S. H. Parsons.

TO CORRESPONDENTS.

ACCOUNT of treading out wheat, by John Beale Bordley, esq. shall, if possible, appear in our next.

Z. B.'s communications are received and under consideration.

THE act of assembly sent by a Virginia subscriber, shall be inserted whenever convenience will allow.

THE proceedings of the philanthropic society, communicated by William Taiham, shall appear as early as possible.

THE ode on peace requires a little more of the *limae labor*.

EULOGIUM on rum shall appear in our next. The favours of the valuable correspondent who wrote this piece, will be always acceptable.

A little retouching would render the Hip a valuable deposit in our poetical department.

ACCOUNT of the trade between America and the West India islands—essay on the public debt of America—essay on the encouragement of manufactures—essay on the necessity of preventing the practice of smuggling—essay on the climate of New York—exports from Bolton, in 1788—method of preserving fruit—method of engraving upon glass—Circular letter from the synod of New York and Philadelphia—&c. &c. are intended for the next number.

SEVERAL essays, intended for this number, are unavoidably postponed.

PROCEEDINGS OF CONGRESS.

Tuesday, May 19.

MR. Boudinot brought forward a plan, for the arrangement of the executive departments. He introduced it by some general observations on the state of the several great offices under the confederation—He observed, that a new arrangement was now necessary, as those offices were not properly any longer in existence, and if they were, they could not, in the present structure, be taken as models for a new establishment—He then moved, as the first clause in the resolution, that a secretary of finance be appointed for the purposes, and with the powers, therein described.

Mr. Benson seconded the general proposition, but did not agree in the propriety of entering into the particulars of the arrangement, till the house had determined the general question, how many departments should be established. He therefore moved, as an amendment, that there should be three great departments established, for the aid of the executive magistrate—to wit, the department of foreign affairs, the department of the treasury, and the department of war.

This motion was, after some debate, withdrawn, in favour of one made by Mr. Madison, to this effect, "Resolved, that it is the opinion of this committee, there should be established, for the aid of the chief magistrate, in executing the duties of his station, the following departments, to wit, a department for foreign affairs, at the head of which shall be an officer, called the secretary of the united states for foreign affairs; that there should be a department of the treasury, at the head of which shall be, &c. and a department of war, at the head of which shall be, &c.—to be nominated by the president, and appointed by him, with the advice and consent of the senate—and removable by the president."

It was moved, as an amendment to this resolution, to annex another clause, providing a department for domestic affairs: and several reasons were suggested, to prove the present and the increasing necessity of such an establishment. But this motion was afterwards, for the present, withdrawn.

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It was moved to make a division of the question, and that separate questions should be taken, on the subject of each department. The question on the first being put, was carried.

On the clause, rendering the heads of departments removable by the president, a considerable debate arose.

The objections were, that giving the power of removal to the president, would render vain and useless the constitutional provision for impeachment, and that it would convey a dangerous authority to the first magistrate. It was also observed, that if the president had this power, it ought at least to be tempered and qualified by the advice and consent of the senate; for it was proper, that the same power, which created, should remove officers.

In answer to these objections, it was said, that the mode of impeachments, provided by the constitution, respected only officers of a particular nature, and did not extend to the executive departments in general: that the idea of bringing all the inferior officers, employed in the administration of government, before the senate, by impeachments, was too absurd to be admitted: that it was necessary, to the responsibility of the president, that he should have the controul over the officers of his own appointment.

It was also observed, as to the last objection, that, if the consent of the senate in every removal and change of officers was made necessary, it would render it expedient for the senate to be constantly assembled.

A question was then taken, whether the president should have the sole power of removal, and it was carried in the affirmative by a large majority.

The question was then put, whether there should be a treasury department, and was carried in the affirmative. Adjourned.

Wednesday, May 20.

THE house resolved itself into a committee of the whole, on the arrangement of the great departments of the executive, Mr. Trumbull in the chair.

Mr. Gerry opened the debate, by a description of the difficulties, which would attend such a department, under the administration of an individual.—He took up and examined the detail

[A]

of the powers and duties, proposed by the mover of the resolution, to be annexed to the office of secretary for the treasury department, and thought, they were too numerous and complicated, to be discharged and executed by any one man, whom the united states afforded.

He then went into a train of observations, to shew the danger of corruption in an office filled by a single man, possessed of such great controuling and uncontrollable powers: whereas a number of commissioners, possessing equal authority, would be a mutual check to each other, and corruption would be thereby rendered more difficult.

He objected further, that the constitution had provided in the senate a council to advise the president in the execution of government; but that the creation of a financier, with all the splendor and powers of office, would be the establishment of a ministry, which would be a dangerous instrument in the hands of the executive.

He then moved for an amendment to the resolution, by striking out that part relative to a secretary for the treasury department, and substituting a clause for the appointment of a board of commissioners.

Mr. Gerry was opposed by Mr. Wadsworth, who confined himself to the proving the superiority, which single men of abilities possessed over boards, in the transaction of public business. He reprobated in the strongest terms the conduct of boards of commissioners in general, and especially the late board of treasury, not because they were deficient in integrity and talents, but because there was a radical vice in the very nature and principles of those institutions, which was productive of perpetual obstructions in the transaction of affairs, of want of harmony, and that decision and dispatch, which were the soul and spirit of public business.

He drew a comparison between the conduct of the late financier, and the board of treasury; and said, that the parallel was entirely to the advantage of the former, in every point of view. Under the administration of that man, public business had been conducted with a simplicity, accuracy, and dispatch, which saved our finances from

destruction. Immense savings had been made in all the departments, civil and military, over which he had had any controul, and which before had been in a state of distraction. Under the administration of the late commissioners, the finances had been in a state of darkness and confusion. Uncertainty, indecision, and weakness appeared in all their transactions. He spoke from experience. The difficulties and delays he had met with in doing business with boards, convinced him that there was some great defect in their formation, which was incurable.

Mr. Benson supported the same side of the question. He observed that all the arguments, respecting the danger of corruption, &c. would extend to the heads of all departments, as well as the treasury. They would extend to the president himself.

The debate was continued by Mr. Baldwin, Mr. Madison and Mr. Boudinot, the latter of whom spoke largely. These opposed the amendment; and Mr. Bland supported it.

The question was put upon the amendment, which was negatived without a dissenting vote.

Mr. Bland then moved, that a clause should be added, instituting a board of treasury, under the superintendence of the financier. He had before in the course of the debate, observed, that he was not opposed to the creating a minister of the finances, who should have a general superintendence over the finance establishment, and be vested with the power of devising, forming, and recommending systems for the improvement of the revenue; but he wished he might not possess any immediate controul over the revenue itself. He wished he might have no authority or agency whatever, in the receipts and disbursements of money. For such purposes as these, he thought a board was necessary—a board, who should possess powers, which could not safely be trusted with an individual in so elevated a station as the financier.

On this motion the question was put, and lost.

A question was then taken, whether this officer should be removable by the president; and it was carried.

After this, a question was taken,

whether there should be a department of war, at the head of which should be an officer, to be called the secretary for the department of war; which was decided in the affirmative.

Mr. Vining then moved, that there should also be established a department for domestic affairs, at the head of which, &c. He supported his motion by a number of observations, pointing out the expediency of such an establishment. The motion was seconded by Mr. Boudinot and Mr. Huntington.

Mr. Benson objected—He thought it would be proper to postpone this part of the establishment to a future time. However extensive the object of such an office might be, he was not sure that the office itself was necessary. The duties which would properly come under this department, he conceived, might be divided and distributed among other departments. For instance, all domestic matters which related to the revenue, might be managed by the treasury department. All domestic matters of a military nature might be conducted by the secretary at war. If, however, a distinct department should be found necessary, it could be established at any time.

To this Mr. Vining replied, by enumerating a number of objects which could not come within the management of either department, such as the numerous and increasing objects of a territorial nature, and the extensive correspondence between the federal government and its western dependencies. He also mentioned the propriety of instituting this office for the authentication of public instruments of every kind. At present there was no office to affix the seal of government to the numerous acts which would take place relative to domestic regulations.

To this idea of Mr. Vining it was answered, that for the purpose of authenticating public acts by seal, there would undoubtedly be an officer appointed; but it would be very improper to establish a great department, with a large salary, to perform such an inconsiderable duty. An officer would probably be created in proper time, with a salary proportionate to the extent and importance of the object.

The committee then rose, and the house adjourned.

Thursday, May 21.

THE house took up the resolutions of the committee of yesterday, respecting the executive departments, and having confirmed the same, proceeded to ballot for a special committee of eleven, to prepare and bring in a bill or bills for the purpose of carrying those resolutions into effect. The committee were Mr. Baldwin, Mr. Benson, Mr. Madison, Mr. Vining, Mr. Burke, Mr. Livermore, Mr. Boudinot, Mr. Fitzsimons, Mr. Wadsworth, Mr. Cadwallader, and Mr. Gerry.

The committee of elections, to whom were referred the several petitions from the inhabitants of New Jersey, respecting the election in that state for representatives in congress, reported a resolution, that a committee should be appointed, with authority to receive and hear evidence on the subject of those petitions; that a day should be appointed, on which this committee should sit for the above purpose; and that the speaker should be requested to transmit a copy of that resolution to the governor of New Jersey, with a request that he would cause the same to be published in the several newspapers of that state. Adjourned.

Friday, May 22.

THE question of Mr. Smith's eligibility to a seat, by reason of his having been seven years a citizen of the United States, was put, and at the request of Mr. Tucker, who had been applied to by Dr. Ramsey to have the yeas and nays taken on the question, it was determined in that mode in Mr. Smith's favour, with only one dissenting vote. After this adjudication,

The house adjourned.

Monday, May 25.

Mr. Madison, who was, according to notice, to have moved, this day, for the house to go into a committee on the subject of amendments to the constitution, thought it expedient, for a number of reasons, to postpone his motion for the present; and gave further notice, that this day fortnight he would bring forward this motion.

Mr. Goodhue moved, that a committee should be appointed to report what compensation would be proper

to be allowed to the president, vice-president, &c.

Mr. Page thought it best to go into a committee of the whole on this business. The question for going into a committee of the whole being put and carried—the house resolved itself into a committee, and Mr. Trumbull was called to the chair.

A resolution was then moved, that per annum be allowed the president, during his continuance in office, to be paid in four equal quarterly payments.

On this resolution some debate took place respecting the form in which the allowance should be made him—whether the blank should be filled up with one gross sum, comprehending a provision for the support of his household and his secretary, or whether the allowance should be divided into two branches; the compensation for his services, and the maintenance of his household. In the course of this debate, Mr. Lawrence suggested twenty-five thousand dollars, as a proper sum to fill up the blank, including his private secretary, clerks, &c.

The committee rose without coming to any resolution.

Tuesday, May 26.

THE bill laying duties on tonnage was read the second time.

On motion of Mr. White, voted, That this bill be referred to a committee of the whole—and made the order of the day for to-morrow.

Wednesday, May 27.

ON motion, the house resolved itself into a committee of the whole, on a reported bill for imposing a duty on tonnage.

A motion was made to insert in the bill, a clause, imposing a duty of fifty cents on all vessels not built within the united states, which may become the property of citizens thereof. This, after some debate, was carried.

It was then moved, to strike out the clause restraining foreign ships from being employed in the coasting trade, which was negatived.

The committee rose, and reported the same, as amended, and it was ordered to lie on the table.

M. Fitzsimons, from the committee appointed for that purpose, pre-

sented a bill to regulate the collection of the impost, which was read, and ordered to lie on the table.

Adjourned.

Thursday, May 28.

THE house met, and the tonnage bill was read, as amended in the committee, and agreed to by the house; after which it was ordered to be engrossed for a third reading, and made the order of the day for to-morrow.

The house resolved itself into a committee of the whole, on the state of the union, according to the established order of the day.

Mr. Trumbull in the chair.

Mr. Scott, in a pointed and argumentative speech, introduced to the attention of the committee, the necessity of establishing a land-office, for the disposal of the vacant and unappropriated lands in the western territory; for which purpose, he moved the committee to agree to a resolution, recommending the appointment of a select committee, by the house, for the purpose of regulating the same.

He was seconded by Mr. Vining, who insisted on the necessity and propriety of the measure.

But the subject appearing of high importance to the committee, it was agreed to rise, in order to obtain time for gaining information. Adjourned.

Friday, May 29.

THE engrossed bill for laying a duty on tonnage, was read a third time, and passed the house.

The bill to regulate the collection of the impost, was read a second time and committed to a committee of the whole, to be taken up on Monday. Adjourned.

Monday, June 1.

Mr. Benson gave notice, that he intended to move a resolution to this effect, that congress will earnestly recommend to the legislature of Rhode Island, to call a convention of the people of that state, in order to adopt the constitution.

Mr. Benson said, he had no other view in bringing this forward, than that the united states should know certainly and speedily, whether the state of Rhode Island intended to become a member of the union. It might, he said, be supposed by some, that that state had already given its

ultimatum. But he would inform the house, that the governor of Rhode Island had sent information to the late congress, that the constitution had been submitted to the decision of the several towns in that state, a majority of which appeared to be opposed to it. That congress had taken no notice of this communication, as it was considered as an improper and unconstitutional mode of determining on the merits of the constitution.

Mr. Baldwin, from the committee appointed to agree upon the compensation to be allowed the president, vice-president, senators, and representatives, reported, that the president should be allowed, as a compensation for his services, twenty thousand dollars per annum, comprehending the allowance for his secretaries, clerks, &c. and exclusive of the expense of his equipage, servants, and some other objects to be provided for and defrayed from the public treasury.

That the vice-president should be allowed a salary of five thousand dollars per annum, and the senators and representatives, six dollars per day, during their actual attendance in congress; and, for the expenses of travelling to and from the seat of government, six dollars for every twenty miles.

On motion of Mr. Smith, a committee was appointed to bring in a bill for the establishment of a system of bankrupt laws, throughout the united states.

Then the house adjourned.

Tuesday, June 2.

MR. Baldwin, from the committee appointed to bring in a bill or bills, pursuant to the resolution for instituting the three subordinate executive departments, reported two bills—one, for the arrangement of the war department—the other, for the department of foreign affairs: these bills provided in substance, for bringing under the direction of these departments, by orders from the president, those national objects which had come within their cognizance, under the old confederation.

A motion was introduced and adopted, that the committee which had reported the bill for collecting the revenue, should be instructed to prepare a bill or bills, providing for

the registering of vessels, ascertaining their tonnage, regulating pilotage, light-houses, &c. Adjourned.

Wednesday, June 3.

THE bill for the establishment of a department of war, and the bill for the establishment of a department of foreign affairs, were read a second time, and referred to a committee of the whole house, to be taken up on Tuesday next. Adjourned.

Thursday, June 4.

MR. Baldwin, from the committee appointed for the purpose, reported a bill to establish the treasury department. Adjourned.

Friday, June 5.

A Message from the senate, which was received yesterday, providing for the transmission of the acts of congress to the executives of the several states, was read a second time and received the unanimous concurrence of the house.

The bill providing for the arrangement of the treasury department, was read a second time, and referred to a committee of the whole house.

Mr. Jackson gave notice, that on Wednesday next, he should move for the appointment of a committee, to bring in a bill for the establishment of a system of naturalization for the united states.

Mr. Benson proposed, that the house should then form itself into a committee of the whole, on the state of the union, and take into consideration the proposed resolution respecting Rhode Island.

This occasioned a short discussion, which terminated in taking the previous question—whether the house should go into a committee of the whole for the above purpose? this passed in the negative, and so the proposed resolution was lost.

Mr. Ames introduced a petition from the artificers and manufacturers of the town of Boston—which being read, was laid on the table.

Mr. Vining gave notice, that on Wednesday next he would submit to the house a resolve, providing for the establishment of a fourth subordinate executive department, to be denominated, the department of the secretary of the united states for domestic affairs.

The house then adjourned.

Monday, June 8.

UPON motion, it was voted, that the several petitions from tradesmen and manufacturers, should be transmitted to the senate.

Mr. Madison, agreeably to notice, moved, that the house now form itself into a committee of the whole, upon the state of the union, to take into consideration the subject of amendments, agreeably to the fifth article of the constitution.

Mr. Smith suggested the expediency of taking up the subject at the present moment, in a committee of the whole, while matters of the greatest importance, and of immediate consequence, were lying unfinished. The great business of the revenue appeared to him to claim a constant and uninterrupted attention, till completed—he moved, therefore, that instead of referring the subject to a committee of the whole, a select committee should be appointed, to take into consideration the amendments proposed by the several states.

Mr. Jackson—I am opposed, sir, to taking up the subject of amendments to the constitution, till we have had some experience of its good or bad qualities. The constitution may be compared to a ship that has never yet put to sea; she is now lying in the dock; we have had no trial as yet; we do not know how she may steer; what sort of a helm she carries; we cannot determine, with precision, whether she sails upon an even keel or no. Upon experiment, she may prove faultless, or her defects may be very obvious; but the present is not the time for alterations. Very important and urgent business now requires the attention of this honourable body; business of such consequence, as that of revenue, without which the constitution is of very little importance. Should amendments now be taken up, it will be months, perhaps, before we can get through with them; mean time, the important interests of our constituents will be sacrificed. The state that I have the honour to represent, has ratified the constitution, without specifying any amendments. They are satisfied with it in its present form, till experience shall point out its defects. I move, therefore, sir, that the consideration of the subject of a-

mendments be postponed till the first day of March, 1796.

Mr. Goodhue observed, that though he considered it as premature, to take up the subject of amendments at the present time, yet he could not conceive the propriety of postponing the matter for so long a period. It certainly was the general idea, that amendments should be considered; and a regard to the wishes of our constituents, required that they should be attended to as soon as the public interest permitted.

Mr. Burke made some objections of similar import with those which fell from Mr. Goodhue; and thought that the subject of the revenue was of the greatest importance to be immediately attended to.

Mr. Madison observed, that the subject had been postponed from time to time, that the members might have opportunity more fully to make up their judgments upon it—a fortnight had elapsed since the first assigned period, and if the motion for a further distant period should be adopted, it would be construed into a design to take no serious notice of the business. The propositions for amendments to the constitution, came from various quarters, and those the most respectable; and therefore to give some degree of satisfaction, it seemed necessary that congress should, as soon as possible, attend to the wishes of their constituents. He did not propose that a full investigation should immediately be gone into; but to quiet the apprehensions of a great many persons, respecting the securing certain rights, which, it was supposed, were not sufficiently guarded, he thought it necessary, that congress should commence the enquiry, and place the matter in such a train, as to inspire a reasonable hope and expectation, that full justice would eventually be done to so important a subject—He therefore renewed his motion for the house to go into a committee of the whole, that the investigation of the business might at least commence.

Mr. Sherman supposed, that taking up the subject of amendments at this time, would alarm more persons than would have their apprehensions quieted thereby; he thought that the necessity of amendments would be

best pointed out by the defects, which experience might discover in the constitution.

Mr. White observed, that the subject of amendments was of very extensive importance: he supposed that the house could not, with any propriety, defer their consideration any longer; for although the constitution had been so generally ratified, yet it was evident, that alterations and amendments were expected by perhaps a majority of the people at large.

Mr. Smith then introduced a proposition for the appointment of a select committee, to take the business into consideration, and report.

Mr. Page was in favour of a committee of the whole, and urged the propriety of commencing the enquiry without any further delay, as a measure that would be productive of very happy consequences.

Mr. Vining was opposed to the measure, for several reasons—the incompleteness of the revenue and judiciary systems; these, he urged, ought to be finished previous to a discussion of amendments: the judiciary system might provide a remedy for some of the defects complained of—and without giving the constitution any operation, it was impossible to determine what were defects, or not—and what alterations were necessary. He further observed, that he conceived it necessary, previous to any discussion of the subject, that it should be ascertained, whether two-thirds of the house and senate were in favour of entering upon the business: he supposed, that the voice of two-thirds was as requisite to sanction the expediency of the measure, as it was to the adoption of amendments. He was fully of opinion, that experience alone could ascertain the real qualities of the constitution. The people are waiting with anxiety for the operations of the government. What have congress done? Have they passed a revenue law? Is not the revenue daily escaping us? Is it not of immense consequence to complete the system? Let us not perplex ourselves, by introducing one weighty and important question, after another, till some decisions are made: this mode of introducing one piece of business, before a former one is com-

pleted, tends to confuse the mind, and incapacitate it from doing full justice to any subject. He hoped, therefore, that the house would not go into a committee of the whole upon this business.

Mr. Madison conceded to the motion for choosing a select committee. He then observed, that he thought it would be attended with salutary effects, should congress devote, at the present time, so much as one day to this business, to convince the world, that the friends to the constitution, were as firm friends to liberty as those who had opposed it: the advocates for amendments are numerous and respectable: some alterations of the constitution lie with great weight upon their minds: they merit consideration. He urged the expediency of the measure, from the situation of Rhode-Island and North Carolina. He had no doubt that it would conciliate them towards the union, and induce them to unite, and again become branches of the great American family. He was, he observed, in favour of sundry alterations, or amendments to the constitution—he supposed that they could be made without any injury to the system. He did not wish a reconsideration of the whole; but supposed that alterations might be made, without affecting the essential principles of the constitution, which would meet with universal approbation; these, he proposed, should be incorporated in the body of the constitution. He then mentioned the several objections which had been made by several of the states, and by the people at large. A bill of rights had been the great object contended for—but this was one of those amendments which he had not supposed very essential. The freedom of the press, and the rights of conscience, those choicest flowers in the privileges of the people, were not guarded by the British constitution. With respect to these, apprehensions had been entertained of their insecurity under the new constitution; a bill of rights, therefore, to quiet the minds of the people upon these points, might be salutary. He then adverted to the several bills of rights, which were annexed to the constitutions of individual states; the great object of these was, to limit and

qualify the powers of government—to guard against the encroachments of the executive. In the federal government, the executive is the weakest—the danger lies not in the executive, but in the great body of the people—in the disposition which the majority always discovers, to bear down, and depress the minority.

In stating objections which had been made to affixing a bill of rights to the constitution, mr. Madison observed, that objections to a continental bill of rights, applied equally to its adoption by the states. The objection to a bill of rights, from the powers delegated by the constitution, being defined and limited, has weight, while the government confines itself to those specified limits: but instances may occur, in which those limits may be exceeded, by virtue of a construction of that clause, empowering congress to make all laws necessary to carry the constitution into execution. The article of general warrants may be instanced. It has been observed, that the constitution does not repeal the state bills of rights; to this it may be replied, that some of the states are without any—and that some articles contained in those that have them, are very improper, and infringe upon the rights of human nature, in several respects. It has been said, that bills of rights have been violated; but does it follow from thence that they do not produce salutary effects? This objection may be urged against every regulation whatever. From these, and other considerations, he inferred the expediency of a declaration of rights, to be incorporated in the constitution.

Mr. Jackson observed, that the honourable gentleman's ingenious detail, so far from convincing him of the expediency of bringing forward the subject of amendments at this time, had confirmed him in the contrary opinion: the prospect, which such a discussion opened, was wide and extensive, and would preclude other business, of much greater moment, at the present juncture—he differed widely from the gentleman, with regard to bills of rights—several of the states had no such bills—Rhode Island had none—there, liberty was carried to excess, and licentiousness triumphed—in some states, which had

such a nominal security, the encroachments upon the rights of the people had been most complained of. The press, mr. Jackson observed, is unboundedly free—a recent instance of which the house had witnessed, in an attack upon one of its members. A bill of rights is a mere *ignis fatuus*, amuling by appearances, and leading often to dangerous conclusions. I repeat it, sir, the present is not the time to bring forward amendments: they must be speculative and theoretical in the very nature of things, and may themselves be the subject of future amendments. This consideration points out, in the strongest manner, the propriety of waiting the result of experiment, to determine the merits of the constitution: to that let us refer the subject, and not lose our time in useless speculations.

Mr. Gerry thought it unnecessary to go into a committee of the whole upon this subject at the present moment. He did not think such a step necessary to satisfy the people, who are fully sensible that congress is now engaged in the great objects of the government. He wished, however, that as early a day as possible, might be assigned; that the mode of another convention might not be thought of—in which we might lose the most essential parts of the constitution—he observed, that he was not a blind admirer of the system—there were defects as well as beauties in it—but as it was now become the constitution of the union, he conceived, that the salvation of the country depended upon its establishment, amended or not. He was further in favour of an early day, on account of North Carolina and Rhode Island, as the accession of these states to the union was very desirable, and good policy dictated that every proper step should be taken to expedite that event. He was opposed to referring that matter to a select committee, as derogatory to the dignity of the states. He conceived the whole of the amendments, proposed by the several conventions, should come immediately before the house. The faith of congress ought to be considered as pledged to take up this business upon the most extensive scale. He therefore moved, that all the various propositions for amend-

ments should be referred to a committee of the whole, and an early day be assigned to go into a full investigation of the subject—and proposed the first Monday in July.

Several other gentlemen spoke upon the subject, when

Mr. Madison arose, and withdrew his last motion for a select committee; and then submitted to the house, a resolve, comprising a number of amendments, to be incorporated in the constitution.

Mr. Livermore was opposed to this resolve—he conceived it entirely improper for any individual member to propose any particular number of amendments, which do not take up the different amendments proposed by the several states.

Mr. Page and Mr. Lee severally rose, to justify Mr. Madison; they thought themselves under great obligations to him, and conceived, that the mode he had adopted, was just and fair, and calculated to bring the attention of the house to a proper point, in determining on the subject.

Mr. Madison observed, that it was necessary the subject should be brought forward in some form or other. After waiting a considerable time for others to do it, he had thought proper to propose the form now submitted to the house. Newspapers and pamphlets were the repositories of the several amendments; those were not the proper sources; the resolve is now before the house, and they may do what they think proper with it.

Mr. Lawrence moved, that the resolve introduced by Mr. Madison, should be submitted to the consideration of a committee of the whole, on the state of the union.

This was carried in the affirmative. —The house then adjourned.

Tuesday, June 9.

THE house met, and resolved itself into a committee of the whole, on the bill for collecting the impost.

Mr. Trumbull in the chair.

On motion of Mr. Goodhue, the committee agreed to add a clause to the bill, for dividing the coasts, bays, creeks and harbours of the united states, into port districts.

It was afterwards agreed, that a naval officer, collector, and surveyor, should be stationed at Boston in Mas-

sachusetts, New York in New York, Philadelphia in Pennsylvania, Baltimore and Georgetown in Maryland, Norfolk and Alexandria in Virginia, Charleston in South Carolina, and Savannah in Georgia.

The committee rose and reported. Adjourned.

Wednesday, June 10.

IN committee of the whole, on the bill to regulate the collection of the impost. Mr. Trumbull in the chair.

On motion of Mr. Madison, a clause was inserted, which provides, "that there shall be a surveyor at each of the ports of delivery only," excepting certain ports to be enumerated.

A motion, introduced by Mr. Ames, was adopted as a clause, to be inserted in the bill—It provides, that every master, or other person, having charge or command of a ship or vessel, bound to any port of the united states, shall be obliged to produce, on demand, to any officer, or person authorized for the purpose, two manifests, specifying, in words, the true contents of the cargo on board such ship or vessel; one of which manifests, the officer is to endorse, and return to the captain, noting the time, when the same was produced to him. The other he is to transmit to the naval officer of the port, where the said vessel is bound to.

Thursday, June 11.

THE house went into a committee, on the bill to regulate the collection of the impost. Mr. Trumbull in the chair.

On motion of Mr. Parker, a clause was added to the bill, declaring that foreign ships should be restricted to certain ports, at which only, they may enter and discharge their cargoes. These ports are yet to be enumerated.

On motion of Mr. Fitzsimons, another clause was added, restricting ships arriving from India or China, to certain ports, at which only they may enter and discharge their cargoes. These ports are yet to be enumerated. Some farther progress was made in the bill, and several other amendments agreed to.

Friday, June 12.

THE house went into a committee of the whole, on the bill to regulate the collection of the impost on goods, wares, and merchandises, imported into the united states.

[B]

Mr. Trumbull in the chair.

Considerable progress was made in the bill this day, by passing many of the clauses, most of them with amendments. The committee was proceeding in the discussion, when a message from the senate was announced. The secretary appeared on the floor of the house, and informed, that he had it in command from the senate, to inform the honourable house, that they had concurred, with amendments, in the bill for laying an impost on goods, wares and merchandises, imported into the united states—and hoped for the concurrence of the honourable house in those amendments. He then delivered in the bill, with a draught of the amendments, and withdrew. These amendments were read to the house, proposing to reduce the duties on certain articles very considerably, to wit: molasses from five, to two and an half cents, per gallon, rum from fifteen to ten, Madeira wine from twenty-five to eighteen, and other wines from fifteen to ten, &c. and then the chairman of the committee having resumed his place, further progress was made in discussing the bill. Adjourned.

Saturday, June 13.

THE house met, and resolved itself into a committee of the whole, on the collecting bill.

Mr. Trumbull in the chair.

After getting through the principal of the commercial regulations, they came to consider a clause respecting the manner of securing the payment of the duties, which may in any cases be bonded with security. A long debate took place, on the legal mode of recovering the amount in cases of insolvency, or non-payment, at the conclusion of which, but before the question was put on the clause,

Mr. Fitzsimons moved the committee to rise, for the purpose of referring the bill to a select committee; observing, that the commercial regulations were mostly gone through, and what remained, related principally to law points, if every one of which were to be debated in the same manner that the one just considered had been, he conjectured that it would take them seven years to get through the bill. He hoped gentlemen of legal knowledge would be placed upon the committee, and there they might

employ themselves in discussing the phraseology, while the house would be at liberty to proceed with other business.

After some little further conversation, the committee rose, and the bill was re-committed, together with the resolutions and clauses agreed to in committee of the whole, to messrs. Goodhue, Fitzsimons, Lawrence, Burke, Livermore, Sherman, and Jackson. Adjourned.

Monday, June 15.

MR. Scott, from the committee appointed for the purpose, made report relative to the situation of the vacant lands in the western territory, which was read and ordered to lie on the table.

The house then proceeded to the consideration of the amendments, which had been proposed by the senate, to the bill for imposing duties on goods, wares and merchandises imported into the united states.

The enacting style of the bill, viz. "the congress of the united states," was amended by the senate, by proposing to insert "the senate and representatives of the united states." This amendment was non-concurred.

That clause of the bill which made a discrimination between states and kingdoms in alliance with the united states and those which are not, with respect to the duty on distilled spirits; the senate proposed should be struck out. A recapitulation of arguments used in the former progress of the bill, on both sides of the question, with little variation, took place—the result was, non-concurrence with the senate.

The following amendments, proposed by the senate, were also non-concurred by the house, viz.

A reduction of the duty on spirits of Jamaica proof from 15 to 10 cents—on other spirits from 12 to 8 cents.

The amendment which provides for the reduction of the duty on the following articles, was acceded to, viz.

Melasses from 5 to 2½ cents.

All wines, except Madeira, 15 to 10 cents.

The next amendments were to reduce the duties on the following articles viz.

Madeira wine from 25 to 18 cents.

Beer, ale or porter in casks, from 8 to 5

Cyder, beer, ale or porter in	cents.
bottles,	25 to 16
Cables, from	75 to 60
Tarred cordage, from	75 to 60
Twine or packthread, from	200 to 150
Coal per bushel, from	3 to 1

These reductions were non-concurred.

The senate introduced the article indigo, with a duty of sixteen cents per lb.—this the house concurred in.

The next amendment was, to add to the following paragraph respecting teas, viz, "On all teas imported from China or India, in ships built within the united states, and belonging to a citizen or citizens thereof"—this clause, viz, "or in ships or vessels built in foreign countries, and, on the 16th of May last, the property of a citizen or citizens of the united states, and so continuing until the time of importation."

This was agreed to.

The next amendment was, to enhance the duty on all green teas, other than hyson, imported as aforesaid, from ten to twelve cents per pound. Agreed to.

The next amendment was, to strike out the following clause—

"On all teas imported from any other country than China or India, in any ship or vessel whatsoever, or from China or India in any ship or vessel which is not wholly the property of a citizen or citizens of the united states, as follows :

On bohea tea, per pound, 10 cents.

On all souchong or other black teas, 15 cents.

On all hyson teas, 30 cents.

On all green teas, 18 cents : " and to substitute—

"On teas imported from Europe, in ships or vessels built in the united states, and wholly belonging to a citizen or citizens thereof, or in ships built in foreign countries, and, on the 16th of May last, the property of a citizen or citizens of the united states, and so continuing till the time of importation, viz,

On bohea tea, per pound, 8 cents.

On souchong or other black teas, 13 cents.

On hyson teas, 26 cents.

On other green teas, 16 cents.

"On teas imported in any other manner.

Bohea tea, per pound 15 cents.

Souchong, or other black teas, 22 cents.

Hyson teas, 45 cents.

Other green teas, 27 cents."

The following clause was proposed by the senate—"on all other goods, wares, and merchandise imported in ships or vessels not built within the united states, and not wholly the property of a citizen or citizens thereof, or in vessels built in foreign countries, and, on the sixteenth of May last, the property of a citizen or citizens of the united states, and so continuing till the time of importation, 12½ per cent. ad valorem."

This was also adopted.

The next amendment was, to insert, "on gunpowder, and paints ground in oil," ten per cent. ad valorem.—Adopted.

Another amendment was, to enhance the duty on gold, silver, and plated ware, from 7½ per cent. to 10 per cent. and to add thereto gold and silver lace, and gold and silver leaf—this was agreed to.

There were several other amendments to raise the duties on articles enumerated, from 7½ to 10 per cent. which were non-concurred.

A general concurrence with the senate in their amendments to the bill was urged by several gentlemen—they observed, that much time had already been expended in the discussion of the subject—that further delay would be sacrificing the revenue—that there was danger of our losing the benefit of the fall importations—that the high duties which had been voted by the house, were contrary to the opinion of a large minority, having been carried by a very small majority—to the minority was now added, the almost unanimous voice of the senate; therefore to reject the amendments of the senate, was hazarding the fate of the present bill. The sentiment in favour of low duties was sanctioned by the invariable experience of the commercial world—they were always productive of greater revenue than high duties, as the latter held out a powerful temptation to evade the laws; the public voice, it was contended, was in opposition to high duties: and accounts, received from mercantile characters in various parts of the union,

confirmed the truth of this observation: that as the operation and success of the laws, in the first instance, must depend upon the general opinion of their eligibility, it was rash to risk the popularity of the government, in a case where no risk was necessary: that the duty on spirits, in particular, was beyond all precedent, and would undoubtedly be evaded, as it was a premium to smugglers.

On the other hand it was said, that the duties were in general conformable to the sentiments of the people—particularly on distilled spirits—that on bulky articles, high duties could be realized with some degree of certainty—that the probable amount of the proposed duties would fall short of the exigencies of the union—the proposed deduction in some cases would curtail it fifty per cent.—that it yet remained to be ascertained whether high duties in many cases could not be collected with as great facility as low—the prompt collection of both being matter of speculation at present—that it was conceded on all hands that a revenue must be obtained, or the country be ruined. Direct taxes could not be thought of; and even the excise would be unpopular—that the opinion of respectable commercial characters was in favour of the proposed duties: in particular, the duty on spirits, agreeably to their ideas, could be easily collected, even if it had been set at a higher rate.

Tuesday, June 16.

THE house proceeded to consider the remainder of the amendments proposed by the senate to the impost bill—when the following being read, were acceded to, viz.

To insert playing cards, at a duty of 10 cents per pack:

Cotton, at 3 cents per lb.

To allow a drawback on brandy and geneva, exported from the united states:

After the words “exported out of the limits of the united states,” to add the following, viz. as settled by the late treaty of peace.

To strike out the sentence which provided for allowing a drawback of 5 cents per gallon, on spirits, distilled from melasses in the united states, and exported out of the same.

The discount of 10 per cent. on goods, wares, and merchandises, imported in vessels, built in the united states, and owned by a citizen or citizens thereof, was extended to goods, &c. imported in vessels not built in the united states, but which were owned by a citizen or citizens thereof, on the 16th May last, and continued so till the time of importation of such goods.

The house did not concur in the time fixed by the senate for this act to be in force, viz. The 1st of July next—and substituted the 1st of August.

The house then resolved itself into a committee of the whole, to take into consideration the bill for establishing an executive department, to be denominated the department of foreign affairs.

Mr. White proposed that this clause “To be removable by the president of the united states,” should be struck out.

This brought on an interesting debate, which continued till near half after three o'clock, when the committee rose, and the house adjourned.

Wednesday, June 17.

THE house met, and on motion resolved itself into a committee of the whole, on the bill for establishing a department of foreign affairs.

Mr. Trumbull took the chair.

And the motion for striking out the clause vesting the power of removing the principal officer from office, in the president of the united states, was taken into consideration.

The debate of yesterday was resumed with animation, for more than four hours, but not being ready for the question, the committee rose and obtained leave to sit again tomorrow; after which the house adjourned.

Thursday, June 18.

ON motion, the house resolved itself into a committee of the whole on the bill for establishing a department of foreign affairs.

The debate, which began the day before yesterday, and continued all day yesterday, was extended through the whole of this day; but the committee not being prepared to decide the question, arose about four o'clock, and the house adjourned till to-morrow.

Friday, June 19.

THE house met agreeably to adjournment, and formed itself into a committee of the whole, upon the bill for establishing the department of foreign affairs. The motion, which had been under debate since Tuesday, for striking out the clause which empowers the president to remove officers, still under consideration. The question upon the motion being taken, it passed in the negative, 33 being in favour of retaining the clause, and 20 against it.

The committee then proceeded in the discussion of the bill.

Mr. Benson proposed the following clause for insertion, viz. That the secretary of the department of foreign affairs, immediately after his appointment, be empowered to take into his custody all the books and papers belonging to the late department of foreign affairs, established by the united states in congress assembled: this clause was adopted.

The further discussion of the bill produced some alterations and amendments, which being completed, the committee rose, and the chairman made report. The speaker having taken the chair, a message was received by the secretary from the senate, with the impost bill, informing the honourable house that they insisted on some of the amendments which they had proposed, and receded from others. Adjourned until Monday.

Monday, June 22.

THE order of the day being called for, the bill for establishing the department of foreign affairs, as reported from the committee of the whole, with the several amendments, were read, and the amendments agreed to by the house.

Mr. Carroll proposed a clause to limit the duration of the bill: among other reasons for the motion, Mr. Carroll observed, that he conceived the necessity of such an officer, as is appointed by the bill, would cease in a short time, by reason of the gradual withdrawing of our intercourse with European countries; and, in the course of a very few years, all political connexion with those powers would be at an end, which would render the establishment a superfluous expense.

Mr. Page seconded the motion—

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and added, that he could not conceive the propriety of gentlemen, who were elected only for two years, wishing to extend the laws of their enacting, to a period beyond the time, when the use and design of such laws should exist, and thus perpetuate the power and influence of the house.

Mr. Ames opposed the addition of the clause, as it would be unfavourable to the stability of government; and was little better than infusing a premature principle of mortality into the executive department.

Mr. Gerry was in favour of a limitation: he supposed, that if the expiration of the bill was not provided for, at the present time, it would be extremely difficult to effect its reduction, when the officers of this department shall have formed connexions with foreign courts; and, by means of these connexions, an extensive sphere of business, uninteresting to the united states, shall be created.

The vote being taken, it passed in the negative.

Mr. Benson proposed an amendment, which, he conceived, would more fully express the sense of the committee, as it respected the constitutionality of the decision, which had taken place: the amendment was, to strike out, in the second clause of the bill, these words, "in case of vacancy in the said office of secretary of the united states, for the department of foreign affairs;" and to insert in lieu thereof, the following, "whenever the said principal officer shall be removed by the president, or a vacancy in any other way shall happen."

This produced some debate, and the ayes and nays being called for, it was determined in the affirmative, as follows, viz.

Ayes—36.

Messieurs Ames, Baldwin, Benson, Browne, Burke, Carroll, Clymer, Contee, Fitzsimons, Gilman, Goodhue, Griffin, Hartley, Heister, Lawrence, Lee, Leonard, Madison, Moore, P. Muhlenberg, Scott, Sedgwick, Seney, Sinnickson, Smith, (Maryland), Sylvester, Thatcher, Trumbull, Vining, Wadsworth.—Thirty.

Nays—18.

Messieurs Cadwallader, Coles, Gerry, Grout, Hathorn, Huntington, Livermore, Matthews, Page, Parker, [C]

Partridge, Van Rensselaer, Sherman, Smith, (S. C.) Sturgis, Sumpter, Tucker, White.—Eighteen.

It was then moved to strike out these words in the first clause, "removable by the president of the united states."

The principal reason, assigned for striking out these words, was, that, as the bill now stands, it appears to be a grant of power; whereas, it was presumed to be the sense of the committee, that the power was vested in the president, by the constitution. A recapitulation of arguments upon this point ensued, and the question was finally determined by ayes and nays. Some gentlemen voted in the negative, supposing, that retaining the words, would be an additional evidence of the sense of the house, that the power was vested in the president.

Ayes, 31—Messrs. Ames, Baldwin, Benson, Brown, Burke, Clymer, Coles, Gerry, Goodhue, Griffin, Grout, Hathorn, Huntington, Leonard, Livermore, Madison, Matthews, Moore, P. Muhlenberg, Page, Parker, Partridge, Van Rensselaer, Scott, Sherman, Sinnickson, Smith (S. C.) Sturgis, Sumpter, Vining, White.

Nays, 19—Messrs. Boudinot, Cadwallader, Carroll, Contee, Fitzsimons, Gilman, Hartley, Heister, Lawrence, Lee, Sherman, Sedgwick, Seney, Smith, (Maryland) Sylvester, Thatcher, Trumbull, Tucker, Wadsworth.

These additional amendments being completed, the bill passed to be engrossed for a third reading to-morrow.

And then the house adjourned.

Tuesday, June 23.

THE committee appointed for that purpose, brought in a bill for securing to authors and inventors, the benefits of their respective publications and inventions—which was read, and laid on the table.

The order of the day was then called for—and the engrossed bill, for establishing an executive department, to be denominated the department of foreign affairs, was read a third time.

Mr. Sumpter moved, that the final consideration of the bill should be postponed.

The vote upon this motion passed in the affirmative.

Mr. Lawrence moved, that the house should take into consideration the amendments to the impost bill, which were yet to be decided—this motion was adopted.—And the enacting clause, as amended by the senate, being read, which is in these words, "Be it enacted by the senate and representatives," &c. Mr. Thatcher proposed that "house of" should be inserted immediately before representatives—this motion was agreed to.

The next amendment, which the senate had not receded from, was, to strike out the clause which makes a discrimination in the duty imposed on distilled spirits imported from countries with which the united states were in treaty, and from those with which no treaties had been formed—it was moved and seconded, that the house should accede to the amendment; this produced an animated debate, in which many new observations occurred, and those which had been adduced in the former discussion, were repeated: the vote being taken, it passed in the negative—twenty-five being in favour of acceding, and twenty-seven against it. So the discrimination remains as it originally stood.

The house then adjourned.

Wednesday, June 24.

THE engrossed bill, which was yesterday ordered to lie on the table, was taken up and read the third time.

On the question, "shall the bill pass?" the ayes and nays were required by one fifth of the members, and were, ayes 29, nays 22; majority 7.

The house then took into consideration the amendments insisted on by the senate to the bill for laying an impost on certain goods, wares, and merchandize, and after refusing to concur therewith, a committee of conference was appointed on the part of the house, consisting of messrs. Boudinot, Fitzsimons, and Madison.

The house went into a committee on the bill for establishing the war department—after agreeing to some amendments, they rose and reported it as amended.

Adjourned.

Thursday, June 25.

THE report of the committee of the whole, on the bill for establishing the department of war, was gone through;

and the bill was ordered to be engrossed for a third reading to-morrow.

The house then went into a committee of the whole, on the bill for establishing an executive department, to be denominated the treasury department.

Mr. Trumbull in the chair.

A considerable debate arose upon the propriety of making it the duty of the principal officer to "digest and report" plans for the improvement of the revenue, &c.

The words of the bill were altered, so as to read "digest and prepare;" after which the committee rose and reported progress. Adjourned.

Friday, June 26.

THE house met this day pursuant to adjournment, but the committee of conference being assembled, and a great proportion of the members attending their deliberations, it was moved and carried, to adjourn till to-morrow.

Saturday, June 27.

MR. Boudinot, of the committee appointed to confer with a committee of the senate, on the subject of amendments to the impost and tonnage bills, which amendments had been disagreed to by the house, reported, that the committees had held a conference, and had agreed to recommend an accommodation on some of the points in dispute.

Respecting the impost bill, the following amendments were then taken into consideration, and agreed to.

To reduce the duty on rum, of Jamaica proof, from 15 to 10 cents per gallon.

The discriminating clause, laying a less duty on rum imported from states or kingdoms in treaty with the united states, to be struck out; and the duty on all spirits, below Jamaica proof, reduced from 12 to 8 cents.

To reduce the duty on beer, ale, porter, or cyder, imported in casks, from 8 to 5 cents.

To reduce the duty on beer, ale, porter, or cyder, imported in bottles, from 25 to 20 cents.

To reduce the duty on coal, from 3 to 2 cents.

Respecting the tonnage bill, the following amendments were agreed to.

That instead of wholly excluding foreign ships from the coasting trade,

they might be employed in it, under certain restrictions.

That all ships, built within the united states, and afterwards the property of foreigners, should not pay more than 30 cents per ton.

The house then took up the next amendment of the senate, to strike out the discriminating clause. This gave rise to some conversation, when, on the question to strike out the clause, the house divided: Ayes, 25, Nays, 26. Adjourned.

Monday, June 29.

THE committee, to whom was re-committed the bill for the collection of the impost, reported a new bill, which was read, and ordered to be taken up in a committee of the whole, to-morrow.

The house then went into a committee on the bill for establishing the treasury department.

Mr. Trumbull in the chair.

In the paragraph, which recites the duties to be performed by the comptroller, mr. Sedgwick moved to have the following words struck out—"that all monies, when collected, shall be paid into the public treasury," and to insert, "for the regular and punctual payment of all monies collected, and an account thereof, entered on the books of the treasury."

The words were struck out, and, instead of the whole of the amendment, the following were inserted, "for the regular and punctual payment of all money that shall be collected."

Adjourned.

Tuesday, June 30.

IN committee of the whole on the bill for establishing the treasury department: several amendments were proposed to this bill, and adopted; among others:

That the treasury should, on the day of every session of congress, lay before the house, copies of all accounts settled with the comptroller, also the state of the treasury.

Bonds to be given by the several officers, are to be deposited in the comptroller's office, and registered in the office of the supreme court of the united states. Adjourned.

Wednesday, July 1.

THE house met, pursuant to adjournment, and resumed the consid-

ration of the report of the committee of the whole house, on the bill for establishing the treasury department.

On motion of Mr. Burke, a clause was added, to restrain the officers of that department from being concerned in trade or commerce—the bill was then ordered to be engrossed for a third reading to-morrow.

It was moved by Mr. Gerry, to recede from the clause discriminating between foreign vessels.

The yeas and nays on the question being called by one-fifth of the members, were as follow :

Yeas. Messrs. Ames, Baldwin, Benson, Burke, Cadwallader, Fitzsimons, Gerry, Gilmore, Goodhue, Hathorn, Huntington, Jackson, Lawrence, Lee, Livermore, Matthews, Moore, Partridge, Sedgwick, Sherman, Sinnickson, Smith, (Maryland) Smith, (S. C.) Stone, Sylvester, Thatcher, Trumbull, Tucker, Wadsworth, White, and Wynkoop. 31.

Nays. Messrs. Boudinot, Brown, Carroll, Clymer, Coles, Contee, Griffin, Grout, Hackly, Madison, P. Muhlenberg, Page, Van Rensselaer, Scott, Seney, Sturges, Sumpter and Vining. 18.

So it was carried in the affirmative.

Mr. Gerry reported a bill for regulating the pilots, and light-houses. Adjourned.

Thursday, July 2.

THE engrossed bill, for establishing the treasury department, was read a third time, and the blank, in the clause, providing, that the treasurer shall give bond, with sufficient sureties, for the faithful performance of the duties of his office, and for that of the officers under him, was filled up with 150,000 dollars; and the blank, in the clause providing a penalty upon the secretary and other officers, for being concerned in commerce, speculations, &c. was filled up with 5000 dollars for the delinquency of the secretary, and 2000 dollars for that of the comptroller, register, &c.

The bill was then passed by a large majority.

On motion, Mr. Gerry's bill for establishing light-houses, and for authorizing the several states to create and regulate pilots, was ordered to be

taken up in a committee of the whole on Wednesday next.

The house then resolved itself into a committee on the bill to regulate the collection of the impost; and the committee, having made some progress, rose, and the house adjourned.

Friday, July 3.

IN committee of the whole.

The bill, to regulate the collection of the impost, still under consideration.

The clause, which restricts foreign ships to particular enumerated ports, it was moved, should be struck out—this occasioned some debate, and the motion was finally withdrawn.

Mr. Gerry then introduced a motion, the purport of which was, that the names of the particular ports, that were the object of the above motion, should be struck out, and the following words substituted: "nor shall any foreign vessel enter or unlade but at those ports to which a collector, naval-officer, and surveyor, is appointed." This, after some conversation, was negatived.

The committee then proceeded in discussing the bill—several ports were added to the list of those at which foreign vessels may enter. The committee having made further progress, rose—the chairman reported—and the house adjourned till Monday.

Monday, July 6.

A letter to the speaker, from his excellency Beverly Randolph, governor of Virginia, inclosing an account of the exports and imports of that state, from January 20, 1788, to January 20, 1789, was read, and referred to the committee appointed to prepare estimates, &c.

In committee of the whole, on the bill to regulate the collection of the impost.

Mr. Trumbull in the chair.

Further progress was made in the discussion; the committee rose after three o'clock, and had leave to sit again to-morrow. Adjourned.

Tuesday, July 7.

IN committee of the whole, on the bill to regulate the collection of the impost.

Mr. Trumbull in the chair.

Very considerable progress was made in the further discussion of this lengthy bill this day; but there was

not sufficient time to finish it. The committee therefore rose.

The chairman reported progress, and asked leave to sit again. Adjourned.

Wednesday, July 8.

THE house being met, they resolved themselves into a committee of the whole on the bill for collecting the impost; but, not having time to complete the same, they rose and reported progress, and the house adjourned.

Thursday, July 9.

THE house in committee, resumed the consideration of the bill for regulating the collection of the impost, and made some further progress. Adjourned.

Friday, July 10.

IN committee of the whole, on the bill to regulate the collection of the impost,

The discussion of the bill was completed this day—when the committee rose. Adjourned.

Saturday, July 11.

THE house, according to order, took up the report of the committee of the whole on the bill for collecting the impost, and having gone through and agreed to the amendments of the same, ordered it to be engrossed for a third reading. Adjourned.

Monday, July 13.

THE house, on motion of Mr. Scott, resolved itself into a committee of the whole, upon the state of the union—to take into consideration the state of the western territory.

The report of the committee appointed on a former discussion of this subject, was then read and agreed to, as follows—

Resolved, That it is the opinion of this committee, that an act of congress should pass for establishing a land-office to regulate the terms of granting vacant and unappropriated lands in the western territory. Adjourned.

Tuesday, July 14.

THE engrossed bill, to regulate the collection of the duties on goods, wares, and merchandize, imported into the united states, was read—after which the house proceeded to fill up the blanks—among others, the following :

All imported distilled spirits of 24

degrees, by the hydrometer, to be reckoned Jamaica proof.

The coll of goods to be estimated at the following rates :

D. C.

The pound sterling of Great Britain,	4 44
The livre tournois of France,	18 1/2
The florin, or guilder of the United Netherlands,	39
The mark banco of Hamburg,	33 1/2
The rixdollar of Denmark,	1
The rixdollar of Sweden,	1
The ruble of Russia,	1
Real plate of Spain,	0 10
The millre of Portugal,	1 24
The pound sterl. of Ireland,	4 10
The tale of China,	1 48
The pagoda of India,	1 94
The rupee of Bengal,	55 1/2

And all other currencies, in value as near as may be to the said rates.

All duties to be paid in gold and silver.

C.

The gold coin of France, Spain, England, and Portugal, and all other gold coin of equal fineness, to be valued per dwt. at	89
The Mexican dollar,	100
The crown of France,	111
The crown of England,	111
And all other silver coin of equal fineness, per oz.	111

The blanks being filled—the question, shall the bill pass? was carried in the affirmative.

Mr. Fitzsimons introduced a motion, that leave be given to bring in a bill to provide for the government of the western territory, agreeably to the acts and ordinances of the late congress. This motion was adopted, and messrs. Fitzsimons, Sedgwick and Brown, appointed as the committee.

Another motion was then made by Mr. Fitzsimons, that a committee be appointed to bring in a bill providing for the settlement of accounts between the united states and individual states, agreeably to the acts and ordinances of the late congress: it was also agreed to, and messrs. Baldwin, Sturgis, and Smith, (of S. C.) appointed as the committee.

Wednesday, July 15.

THE house met and took up, for a second reading, the report of the committee of elections, respecting the con-

tested election of New Jersey. The object of this report was, to obtain instructions and power from the house to proceed to obtain proof of the facts stated by the petitioners, relative to unfair and illegal proceedings during the said election.

The petitioners, in favour of the sitting members, had applied to be heard, by counsel, whether the facts, if proved, were material to invalidate the election; and whether the house had, constitutionally, cognizance of the execution of the election law.

A long debate took place on a motion made by Mr. Benton to hear the petitioners by counsel; but, when the house were coming to a decision thereupon, the motion was withdrawn.

It was then proposed, that the house empower the committee to send for such persons, papers, and records, as they deem expedient; but on the question being put, the motion was negatived.

Another motion was made to authorize the committee to send a commission into New Jersey, for taking depositions; but this met a fate similar to the former.

It being understood that the committee were to proceed to obtain proof in such manner as they should deem expedient, the business was finished for the present, and the house then adjourned.

Thursday, July 16.

MR. Baldwin, of the committee appointed to prepare a bill, providing for the settlement of accounts between the United States and individual States, brought in a report: this bill provides for establishing a board of three commissioners, whose decision is to be final—read and laid on the table.

The report of the committee on compensations, was next taken into consideration.

On filling up the blank in the article which provides a compensation for the services of the president, a lengthy conversation ensued.

Mr. Sherman suggested the expediency of referring the subject to a committee, which should consist of a member from each State.

Mr. Livermore proposed that the blank should be filled up with 18,000 dollars; he observed, that the expenses of the household of the president of the

late congress, amounted, on an average, to about 13,000 dollars; he adverted to the difference of the charges of living at the present time, compared with what they were formerly: he said he was in favour of a generous and competent allowance.

Mr. Tucker proposed that 26,000 dollars should be the sum for the first year, and 15,000 for each of the three succeeding years: he supposed that this mode would be agreeable to the constitution, provided the whole sum was voted at once, and he conceived there was a propriety in making the grant, for the first year, larger than for the following; the average would be about the sum mentioned by the gentleman from New Hampshire.

Mr. Stone said, that he supposed, that 25,000 dollars would be as small a sum as would answer, and in case that sum was agreed to, the executive would be less expensive to the people than that of any similar government in the world; and if it is considered, that the unavoidable expenses will be great, and, that the president will require the assistance of two or more secretaries, to discharge his high and important trust, and that it cannot be expected that persons in such a station, should be in straitened or dependent circumstances, this sum will not be found excessive—besides, it is a maxim of sound policy, that executive officers should be independent.

Mr. White. Sir, I do not say that 25,000 dollars will be enough—or that it is not sufficient—but in order to determine what will be right, I should be glad to know in what style it is expected the president should live? If a style of magnificence and splendor is to be adopted, this sum will be too small; it will be extremely difficult to determine upon a proper sum, till this is known.

Mr. Baldwin gave an account of the different ideas of the gentlemen who were upon the committee, by which it appeared, that the sum, in the report, was nearly an average of their respective ideas upon the subject. He observed, that the sum was adopted with some reference to the character which now fills the chair, and the committee thought it would

be perfectly safe rather to exceed, than fall short, of the amount which might be requisite.

Mr. Boudinot made similar observations, with some enlargement, and added, that he should rather be for increasing than diminishing the sum.

Mr. Vining said that the committee had no documents on which to form a judgment—they had no light to guide them—they could not determine what ambassadors, and foreign ministers might be sent to this country, nor what expenses, the president must necessarily incur on that account, to support the honour and dignity of the states. He observed, that there are cases, in which generosity is the best economy, and no loss is ever sustained by a decent support of the chief magistrate. There is a certain appearance of parade and external dignity, which it is necessary should be kept up. Did I represent a larger state (said he) I would speak with more confidence upon this occasion. The ghost of poverty haunts us—We are stunned with the cry of the poverty of the states—But, under the auspices of an energetic government, our funds will be established, and increased, and, I doubt not, they will be sufficient for all the purposes of the union—We ought not to confine our calculations to the present moment. If gentlemen will contend, that we are not able to support the government in a proper style, why there is an end of the business: but we should remember, the present is the season of organizing the government—patient and and lengthy investigation is requisite, and the amount of the civil list will be thereby increased—But, in future, the sessions will be short, and the burden of expense greatly diminished. He said, he was against any reduction of the sum: he had always supposed it too small, and should rather propose to fill the blank with 30,000 dollars.

Mr. Page observed, that 30,000 dollars had been mentioned. He thought that would be an adequate sum; but not for the purposes of pomp and parade. Those, he said, were entirely out of the question. He had made a calculation upon the probable necessary expenses, and found, that, exclusive of the dignity and pageantry, which some talked of, this sum would

be sufficient. He therefore moved that the blank should be filled with 30,000 dollars.

The vote being taken on mr. Page's motion, it passed in the negative.

It was then moved, that the blank should be filled with 25 000—which was carried by a large majority.

Upon the clause in the report, to allow the vice-president 5000 dollars per annum, a debate ensued.

Mr. White said, he did not find any thing in the constitution authorizing a salary to that officer—He therefore moved that the sum should be struck out, and the clause so amended, as that the vice-president should receive daily pay, as president of the senate only—in which capacity alone, mr. White further observed, services could be exacted from him—and he did not think they could consistently vote any allowance, but for services actually performed.

Mr. Page said, that he rose to second the motion of his colleague, but from quite opposite principles. He should propose that 5000 dollars be struck out as too small a sum. He could not see the propriety of making so great a difference between the first and second magistrates. He should therefore move that 5000 be struck out, in order to insert 8000.

Mr. Sedgwick observed that the principle, on which the motion of mr. White was founded, did not appear to him to be just. The pay of the members is *per diem*, because they are together only for a time. The vice-president is an officer by the constitution, who, in case of accident, is to take the chair, and is to reside at the seat of government; from which it appears necessary that he should receive a permanent salary.

Mr. Seney. By the constitution, compensation is to be made for services performed. The vice-president may absent himself during the whole time—I am for giving him a handsome allowance, while employed; but I think he ought to be paid, *per diem*.

Mr. Sherman adverted to the circumstance of lieutenant-governors receiving salaries in the several states, where such officers are appointed; so that, in this view, the grant to the vice-president would agree with the practice of the states individually. It

appeared to be necessary, also, inasmuch as this officer would be taken off from all other business.

Mr. White. Sir, the constitution has not pointed out the vice-president as an officer to be provided for: it says, the president shall have a fixed and permanent compensation for his services, but is silent as to the vice-president. We are not authorized to institute sinecures for any man. Whether the vice-president may, or may not, pursue any other business, I will not pretend to say. He may, however, absent himself from the public service, and who can call him to account? The constitution being silent, I think we may not establish a precedent: as to the lieutenant-governors of the several states, some of them do not receive salaries.

Mr. Madison did not agree with his colleague: he said the vice-president ought to be placed in such a situation, that the states may always be able to command his services. The vice-president may be taken from the extremity of the continent. If he is to be considered as the apparent successor to the president in case of accident, it will be necessary that he should withdraw his attention from all other pursuits. It is generally true, that pay should be for the time during which services are performed; but it is not universally the case—the judges of the courts will not be always employed; but they will be entitled to constant pay.

Mr. Ames observed that the vice-president's acceptance of his appointment, is a renunciation of the common modes of obtaining a livelihood.—When a man is taken from the mass of the people, for a particular office, he is entitled to a compensation from the public. During the time in which he is not particularly employed, he is supposed to be engaged in political researches, for the benefit of his country.

Every man is eligible by the constitution to be chosen to this office; but if a competent support is not allowed, the choice will be confined to opulent characters. This is an aristocratic idea, and contravenes the spirit of the constitution.

Mr. Seney. This, sir, is a subject of a delicate nature, and rather dis-

agreeable in its discussion; but I consider it my duty to express my sentiments freely upon it: I have heard no arguments to convince me that the vice-president ought to receive an allowance any more than the other members of the legislature: he cannot be compelled to perform any duty: this is an important subject, and ought to be maturely considered, as much depends on the decision which will now take place.

Mr. Burke said, the embarrassed situation of our finances was such, as to put it out of our power to give such ample salaries as we might, in different circumstances, think necessary: that the vice-president should receive a compensation, as the second officer in the government, is but reasonable: he will be obliged to support an appearance, by living at the seat of government, which will subject him to extra expense. Mr. Burke further observed, that the sum proposed, might not be fully sufficient, but it was as much as we could afford, at the present moment.

Mr. Ames replied to the observations of Mr. Seney, and pointed out the difference between the situation of the vice-president and of the members of the legislature.

Mr. Sedgwick added some remarks of a similar import, and further said, it was necessary that the members of the house should return and mix with their constituents, in order to learn their sentiments, their feelings; and to witness their situation and wants; that, consequently, they may resume their occupations. But with respect to the vice-president, his acceptance must be considered as an abandonment of every other pursuit. He must reside at the seat of government, and necessarily incur extra expenses in consequence of the office he sustains.

Mr. Stone. I am, sir, for giving such salaries as will make the officers of this government easy in their posts. But we are confined by the constitution. Salaries are to be given for services performed—they are considered in no other light. We can consider the vice-president in no other view than as president of the senate. I am for his being paid per diem; but I am for giving him a generous support. The sum of 5000

dollars per annum, is not, I conceive, enough. I should be in favour of such a sum *per diem* as would amount to six hundred dollars *per annum*.

The question being put on Mr. White's motion, it was rejected, and the clause retained.

In the clause fixing six dollars a day as the pay of the senators and representatives, Mr. Sedgwick moved for a discrimination, viz. that the former should have six, and the latter five dollars *per diem*.

Mr. Jackson opposed this discrimination. He observed, we have all alike abandoned our particular pursuits in life, and are all equally engaged in the service of our country, and I can see no reason for making any difference: can a senator eat more, or does he drink better than a representative? I presume not; their expenses are equal. There is but one reason that can be assigned for this distinction, and that is, the senate may sit longer than the house; but as they will receive pay accordingly, this reason falls to the ground. The business of both houses is the same, and the pay ought to be alike.

Mr. Lee. The constitution has made a difference, and we ought to do the same: there is a degree of refinement in the mode of electing senators: they are to be our best men, and I think that every encouragement ought to be given to draw forth the first abilities. The difference of two or three dollars is but a trifling distinction to our venerable sages. At present, there may be young men in the senate; but the time will come, when our most honourable, grey-headed sires, the experienced and wise men of our land will fill those seats: old men are with difficulty brought into public life; every inducement should therefore be held out—the honour and dignity of our government are inseparably connected with supporting, in a proper manner, this important branch of our legislature. The constitution warrants a distinction. It is founded on the best experience—I therefore give my hearty assent to the proposal for a discrimination.

Mr. White. Sir, I am opposed to a discrimination. I cannot see the difference in the constitution, which the gentleman refers to. There was

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an artificial and political distinction established between the senators and the people in some of the ancient commonwealths. This was the case at Rome in particular. The senators were there considered as possessing a portion of divinity, and the rest of the people were not suffered to mix with them. Is it to be supposed, because our senators have the same name, that they are of a superior order to their fellow-men? Whatever may be the sentiment here, in their respective states, there is no difference in the general estimation between a senator and a representative—and why any discrimination should be made in their respective allowances, I cannot conceive.

This distinction will operate against the independence of the members of this house, and may, at some future day, enable the senate to carry points, by being able to prolong the sessions, when it may be greatly to the inconvenience of the house.

Mr. Madison was in favour of the discrimination. He said it was evidently contemplated by the constitution, to hold out some distinction in favour of the senate, as an inducement for men of stayed and fixed principles, whom habits of retirement might render averse from the active scenes of public life, to devote the experience of their years, and the acquisitions of study, to the service of their country—and except something of this kind is done, we may find it difficult to obtain proper characters for the senate; as men of enterprise and genius will naturally prefer a seat in the house, which will be considered as a more conspicuous situation.

Mr. Vining was opposed to the motion for discrimination. He observed, that wealthy men would, in all probability, be chosen senators, and that the representatives would not, in general, be of that class; the discrimination, therefore, if any was made, ought to be in favour of the latter. This (said he) is a subject on which we can feel, but which is difficult to discuss. I am against the reduction of the sum mentioned in the report, as I think that sum quite insufficient. Six dollars, sir, is not equal to the expense per day, at which many gentlemen live;

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when at home. We surely do not intend to make the public service unpleasant, by rendering the situation of gentlemen less eligible. As to discrimination, the constitution has sufficiently pointed out the proper distinction. Mr. Vining added many more observations, and concluded by saying, I have expressed myself fully upon this occasion: I am not afraid that my sentiments should be known to my constituents, because I think their's are agreeable to my own.

Mr. Seney. I am sorry, sir, that the question of discrimination has been brought before the house. What reason can be assigned for making this distinction? Are the services of the senate greater than those of the representatives? I think not. Gentlemen have brought forward the constitution upon this occasion; but I conceive it is opposed to the principle they mean to advocate. The independence of the several branches is to be strictly preserved; this will destroy that independence: if we establish a discrimination in favour of the senate, will it not naturally tend to create a sense of inferiority in the minds of the representatives? and the time may come, when they may find it for their interest, to be entirely subservient to the views of the senate. Sir, I feel so sensibly the impropriety and unconstitutionality of this measure, that if I had the smallest idea that it would comport with the sentiments of a majority of the members of this house, I should call for the ayes and noes upon the question—but as I do not conceive that to be the case, I shall for the present wave the proposition.

Mr. Sedgwick observed, that, whenever he had a motion to make in the house, he always endeavoured to satisfy himself of the reasonableness and propriety of the proposition it contained. When he had determined it was proper, the mode of decision that should be adopted, he considered as not of very material consequence—but, in determining the present question, he hoped the ayes and noes would not be called. There is (said he) a principle in human nature, which revolts from the idea of inferiority—hence, when a proposition is made, which has for its object the establishment of superiority, in whatever form you please, that principle is alarmed, and excited to oppo-

sition; but, in discussing such a question as the present, we ought to divest ourselves of every partiality and prejudice, which may bias our judgments to a decision, that will not bear the test of reason and experience. The constitution has, I conceive, plainly pointed out the precedence of the senate. There are grades in society which are necessary to its very existence. This is a self-evident proposition—it is recognized by every civilized nation. It is recognized by the house in the report before us. Why else have we made a difference between the president and vice-president? Is it not on account of the superior station, and weight of dignity of the former?—and between the vice-president and the senate? This distinction is also established in the difference of the terms for which the senate and the house of representatives is chosen. The time, for which the senate is chosen, points out the propriety of a difference in the pay they ought to receive. The administration of the government will require, that they should more completely abstract themselves from personal pursuits. Their time will be almost wholly absorbed by an attention to public duties: they should, therefore, have an adequate and independent allowance. They will generally be of an age that will preclude them from all ideas of ever engaging in their several professions, after once having engaged in the service of their country. Their age, their wisdom and experience, all warrant this discrimination. Mr. Sedgwick added many more observations to shew the policy and constitutionality of the discrimination, and concluded by saying, he thought the real dignity of the house so far from being diminished by adopting the proposition, that he conceived it was essentially connected with it.

Mr. Jackson, in reply to the enquiry of Mr. Sedgwick,—why have we made a difference between the president and vice-president? observed, that the president will be employed the whole of his time. The vice-president may retire to his farm, whenever he pleases. Reference is had to the wisdom of the senate—but how is this superior wisdom made to appear? If a distinction is to be made on this account, it follows that a dif-

ference should be made between the several members of this house, and also between those of the senate. We cannot be too cautious how we establish an undue pre-eminence, and give an influence and importance to one branch of the legislature over the other. All governments tend to despotism, as naturally as rivers run into the sea. Despotism carries its points gradually, by slow and imperceptible steps. Despotic power is never established all at once. We shall, ere we are aware, get beyond the gulph, and then wonder how we got there. The services of the senate are not more arduous than ours; their proper business is legislation, and I never will consent to any discrimination. Had I any idea that the question would be determined in favour of discrimination, I should be for calling the ayes and noes, and should it be so determined, I shall choose to enter my negative against it.

Mr. Page was in favour of the discrimination: he said, that in his opinion, the senate ought to have permanent salaries, that they might be placed in an eligible and independent situation.

The proposition for a discrimination was negatived.

Monday, July 20.

MR. Smith (S. C.) moved, that a committee should be appointed to bring in a bill, to authorize the several states to provide funds for the support of hospitals for sick and disabled seamen, and for the regulation of their respective harbours. This motion was adopted, and messrs. Smith, (S. C.) Carroll, and Clymer, appointed the committee.

The bill for establishing an executive department, to be denominated the department of foreign affairs, as amended by the senate, was read, and the amendments agreed to.

Tuesday, July 21.

THE speaker informed the house that the enrolled bill to provide for the establishment of light-houses, beacons, and buoys, was ready for the inspection of the committee, who should examine and present the same to the president, for his approbation and signature.

Wednesday, July 22.

THE house went into a committee on the resolution respecting the western territory, and having gone through

it, ordered that a committee be appointed to bring in a bill in pursuance of the same.

Mr. Carroll moved, that the house now take up the report of the committee on the subject of the enrollment, attestation, publication, and preservation of the acts of congress.

This was, however, postponed on Mr. Vining giving notice that he should move for leave to bring in a bill to establish a domestic department. This subject was connected with one immediately preceding, as this establishment would provide a proper repository for the public records of the legislature, and many objects of the report might be comprehended in this provision.

Mr. Vining moved a resolution, that the president of the united states be authorized and requested, to provide a great and lesser seal, with proper devices, for the use of the united states.

After some conversation, in which it was observed that such a provision, respecting the great seal, was needless and improper, as one already existed—and some doubts were expressed as to the necessity of a privy seal—it was agreed that the motion should lie on the table.

Mr. Benson moved a resolution, that a committee should be appointed to bring in a bill, to prescribe the form of commissions to be granted to the officers of the united states.

Ordered to lie on the table.

Mr. Burke, of the committee appointed for that purpose, presented a bill for allowing a compensation to the president and vice-president of the united states.

In committee of the whole.

The bill, providing for the settlement of accounts between the united states and individual states, was discussed—the committee then rose, and the chairman reported, that the committee had gone through the discussion of the bill, without making any amendments. It was then moved that the committee be discharged from any further consideration of said bill—and that it be referred to a select committee—this passed in the affirmative, and messrs. Sturges, Baldwin, and Smith, (S. C.) were appointed.

The house, then, on motion of Mr. Scott, resolved itself into a commit-

tee of the whole, to take into consideration certain resolves respecting the western territory—and after some conversation, the following, in substance, were agreed to, viz.

Resolved, as the sense of this committee, that a land-office ought to be established, for the sale of vacant and unappropriated lands in the western territory,

That the said office be under the superintendence of the governor of the western territory, for the time being—that the lands to be sold, be contained within the following limits, viz.

That the tracts and parcels to be disposed of shall not exceed acres.

That the price to be required shall be per acre.

That every person, actually settled within the said limits, shall be entitled to the pre-emption of a quantity not exceeding acres, including his settlement.

A committee, consisting of mr. Scott, mr. Sylvester, and mr. Moore, was then appointed to bring in a bill, or bills, agreeably to the said resolutions.

Thursday, July 23:

THE bill, establishing the compensation to be made to the president, &c. was reported by the committee appointed for that purpose, and ordered to be engrossed.

The house then resolved itself into a committee of the whole, on the state of the union.

Mr. Vining moved his resolutions, respecting the establishment of a home department—comprehending and detailing a variety of domestic duties, which, he said, were not included and provided for, in any establishment which had been already made.

The general principle of these resolutions met with earnest opposition from mr. White, mr. Sedgwick, mr. Gerry, and others. It was contended, that such a department was unnecessary, because the functions, to be executed in it, would be properly distributed among the offices already created; that it was impolitic, because it was expensive; and because an increase of great officers would alarm the people. It was said, that many of the duties, proposed to be annexed

to the office, were unimportant in themselves; others might be performed by the chief magistrate; some might be executed by the minister of foreign affairs, and others again by the secretary of the senate, or the clerk of the house.

Mr. Vining replied at large to the arguments which were urged; and defended each clause of the resolutions.

The question was at length taken on the first clause, which provided generally for the establishment of the department, and was negatived.

A motion was then made by mr. Sedgwick, that a committee should be appointed, to bring in a bill, supplementary to the act establishing a department of foreign affairs, providing that the department should, in future, be denominated the department of state, and that certain domestic duties, which he enumerated, should be annexed to the department, such as keeping the seals, making out commissions, and affixing to them the seal of the united states, &c.

This motion was negatived, and the committee rose without coming to a decision. Adjourned.

Friday, July 24.

MR. Gerry, of the committee appointed for that purpose, brought in a bill to provide for the registering and clearing of vessels—for regulating their tonnage, and the coasting trade, which was read—voted that 100 copies be printed for the house.

The engrossed bill, for allowing compensations to the president and vice-president, for their respective services, was read a third time—this bill provides that the vice-president shall, in case the powers and duties of the president devolve upon him, receive the compensation allowed to the president, and his allowance as vice-president is then to cease. Upon motion, it was voted, that this bill be recommitted, and that the house will resolve itself into a committee of the whole, for the purpose of taking the same into consideration.

The committee, to whom was re-committed the bill to provide for the settlement of accounts between the united states and individual states, reported an amendment to said bill, which empowers the president of the

united states to nominate, and by and with the advice and consent of the senate, appoint proper persons to fill such vacancies as have taken place, or may happen, in the board of commissioners of accounts, appointed under the ordinance of the late congress; also authorizing said board to appoint a chief clerk, and such other clerks as the service may require.

This amendment, after some debate, was adopted, and the bill ordered to be engrossed for a third reading on Monday next.

In committee of the whole. Mr. Boudinot in the chair.

The engrossed bill for allowing compensations to the president and vice-president was then read, and amended, by more particular specifying the time when the compensations shall commence, viz. "At the time when they shall enter on the duties of their respective stations."

The clause respecting the vice-president's receiving the compensation of president, in case the powers and duties of that office should devolve upon him, was voted to be struck out.

The committee then rose—and it was ordered that the bill lie on the table.

Upon motion of mr. Fitzsimons, the estimate of supplies for 1789, was read and taken into consideration.

It was then voted that a committee of ways and means be appointed, to which the said estimate was referred.

Upon motion it was voted, that this committee consist of eleven—the ballots being collected, the following gentlemen were chosen, viz. messrs. Livermore, Gerry, Wadsworth, Laurence, Cadwallader, Fitzsimons, Vining, Smith, (M.) Madison, Smith, (S. C.) and Jackson. Adjourned.

Monday, July 27.

THE engrossed bill for settling accounts between the united states and individual states, was read, and the blanks filled.

To the chief clerk to the commissioners, 600 dollars a year was allowed, and 400 dollars to the other clerks.

In committee of the whole house, on the order of the day. Mr. Boudinot in the chair.

The report of the committee, appointed to confer with a committee of the senate, in preparing joint rules

rules to be established between the two houses for the enrolment, preservation, attestation and publication of the acts of congress, and to regulate the mode of presenting addresses, and other acts to the president of the united states, was taken up.

On motion of mr. Sedgwick, the following resolution was agreed to, viz. that it is the opinion of this committee, a select committee ought to be appointed, to prepare and report a bill, to provide, without establishing a new department, for the safe keeping of the acts, records, and great seal of the united states—for the publication, preservation, and authentication of the acts of congress—for establishing the fees of office, and prescribing the forms of commissions, &c.—This resolution being added to the report, and the discussion being finished, the committee rose, and the chairman reported the same, with the amendments, which were acceded to by the house.

Tuesday, July 28.

MR. Vining presented the report of the committee appointed to consider of and report amendments to the constitution. The report being read, 200 copies were ordered to be printed for the use of the members.

The bill for collecting the revenue was returned from the senate with amendments, which, being read, were severally agreed to, and the bill ordered to be enrolled.

The bill for regulating the coasting trade, was taken up in committee of the whole, and considered; after which the house adjourned.

Wednesday, July 29.

THE house went into a committee on the bill for regulating the coasting trade, and prescribing the manner of registering, entering, and clearing vessels. Some progress was made in the bill, when the committee rose, and requested leave to sit again.

Mr. Fitzsimons moved for leave to bring in a bill to suspend the operation of the impost and tonnage acts. But his motion was negatived.

Thursday, July 30.

THE committee, appointed to examine the enrolled bill, to regulate the collection of duties on tonnage, and on goods, &c. reported that it was found correct, and laid the same

upon the table. The speaker then signed the bill.

Mr. Livermore introduced a resolution, that each member should be furnished at the public expense with two newspapers of this city, such as he should choose, and no more. This was laid on the table.

In committee of the whole—the discussion of the bill before them yesterday, was finished—the committee then rose, and the chairman reported the same to the house with the various amendments proposed.

A message was received from the senate, by their secretary, mr. Otis, who informed the hon. house, that they had concurred in the bill for settling accounts between the united states and individual states, without any amendments.

The house then took up the report of the committee just made—many of the amendments were acceded to—some of them negatived—and others added by the house, so that the bill was not finished when they adjourned.

Friday, July 31.

MR. Scott, of the committee appointed for the purpose, brought in a bill for establishing a land-office for the western territory; which was read and laid on the table.

Upon motion it was voted, that a standing committee be appointed to examine the enrolled bills, and to present the same to the president, for his approbation and signature, and mr. White and mr. Partridge were accordingly appointed.

Mr. White, of the committee appointed to examine into the measures taken by congress, and the state of Virginia, respecting the lands reserved for the use of the officers and soldiers of said state, &c.—brought in a report, which was read, and laid on the table.

The house then proceeded in the consideration of the amendments agreed upon in committee, to the bill for registering and clearing vessels, &c. which being finished, it was voted that the bill should be engrossed for a third reading on Monday next.

A message was received from the senate by their secretary, informing, that they had passed the bill for estab-

lishing the treasury department, with amendments.

Also, that the senate had appointed mr. Wingate to join the committee appointed by the hon. house to examine the enrolled bills, &c.

Mr. Sedgwick, of the committee for the purpose, brought in a bill to provide for the safe keeping of the acts, records, and great seal of the united states, for the publication, preservation, and authentication of the acts of congress, &c. which was read, and laid on the table. Adjourned.

Monday, August 3.

THE bill for regulating the coasting trade, &c. was brought in, engrossed, and read a third time.

Mr. Fitzsimons moved to recommit it, in order to correct certain errors which had escaped the houses; the bill was accordingly recommitted, and the house agreed to take it up tomorrow.

Mr. Fitzsimons then moved for leave to bring in a bill to supply a defect in the impost law. By that act, he said, a drawback had been allowed on all salt used on fish, and other salted provisions exported. As the law stood, exporters would receive a drawback on salt, which had been imported previously to the operation of the impost, and consequently had paid no duties at all. He wished, therefore, to have it provided, that the drawback should not take effect for a limited time.

This motion was opposed, on the ground that it was improper to pass an act to correct an error in a law which the congress had so lately passed. It was proposed to add a clause to the bill which had been last read, and re-committed, providing for this defect. To this mr. Fitzsimons consented.

Mr. Benson introduced a resolution to this purport: that a committee be appointed, to join a committee of the senate, to consider and report when it will be convenient for congress to adjourn; also, to report what business now before congress must necessarily be attended to previous to a recess, and what will be proper to postpone till the next session—laid on the table.

The bill for establishing the treasury department, with the amendments proposed by the senate, being read,

the amendments were acceded to in part—the consideration of two articles was postponed till to-morrow.

The bill for establishing light-houses, beacons, buoys, and public piers, as sent down from the senate, with the amendments, was taken into consideration, and several of the amendments acceded to on the part of the house.

The bill for allowing compensations for their services to the president and vice-president of the united states, was taken up—and on motion of Mr. Smith (S. C.) a clause was added to the bill, by which the president is to have the use of furniture and other effects, now in his possession, belonging to the united states.

The bill was then passed to be engrossed for a third reading to-morrow—and then the house adjourned.

Tuesday, August 4.

Mr. Hoitler presented a petition from the inhabitants of Cumberland county, state of Pennsylvania, praying that the sessions of the federal courts may not be restricted to the city of Philadelphia—laid on the table.

The engrossed bill for allowing a compensation to the president and vice-president, for their services, was read a third time, and passed to be enacted.

Mr. White, of the standing committee to examine the enrolled bills, presented the bill providing for the government of the western territory, which the committee had examined, and found correct—the speaker then signed the same.

Mr. Burke, of the committee appointed for the purpose, brought in a bill for allowing a compensation to the members of both houses, and to their respective officers: this bill provides that the compensation shall be as follows, viz.

To each member of the senate and house, six dollars per day.

Speaker of the house, twelve dollars per day.

To the secretary of the senate, and clerk of the house, each fifteen hundred dollars a year, and two dollars a day, each, during the session of the legislature:—one principal clerk to each, at three dollars a day during the session—one engrossing clerk to

each, at two dollars a day during the session.

Serjeant-at arms, three dollars a day, during the session.

Door keeper to the house and senate, each, seven hundred and thirty dollars a year.

Assistant door keepers, during the session, one dollar and fifty cents a day, each.

This bill was laid on the table.

The house then went into a committee of the whole, on the bill for registering and clearing vessels, and regulating the coasting trade.

A clause was added to this bill, which provides for a suspension of the bounty of five cents on every barrel of pickled fish, every quintal of dried fish, and every barrel of salted provisions, exported from the united states, as allowed by the impost law, till after the last day of July, 1790.

The committee having finished this bill, the speaker resumed the chair—the house acceded to the several amendments, and the bill was ordered to be engrossed for a third reading to-morrow.

The house then resumed the consideration of those amendments to the treasury bill proposed by the senate, on which a decision was postponed yesterday—a lengthy debate ensued upon the subject, in which the substance of the argument upon the president's power of removing was repeated, and which terminated in not acceding to the amendments of the senate.

The house adjourned at half after three o'clock.

Wednesday, August 5.

THE house met pursuant to adjournment, and passed the bill for establishing the department of war, with the amendment proposed by the senate.

Also, passed the bill, with amendments, as returned by the senate, for regulating the government of the western territory.

The bill for regulating the coasting trade, was read the third time, passed the house, and ordered to be transmitted to the senate for concurrence.

The report of the committee, respecting the donation lands in the western territories, granted by Virginia to the Virginia troops, late in the

service of the united states, was read a second time: ordered, that a hundred copies therefore, be printed for the use of the members.

Mr. White laid a motion on the table, for rescinding a resolution of the late congress, respecting the location of lands for the Virginia troops.

The house went into a committee of the whole, on the bill for compensating the service of the members of the senate and house of representatives, and their officers.

A motion was made, to strike out fix dollars per diem, as a compensation for each member.

Mr. Carroll called in question the propriety of the motion, supposing the committee not at liberty to alter principles settled in the house.

Mr. Page went into an argument to show, that the sum ought not to be diminished; he thought six dollars a day not more than sufficient to compensate gentlemen for their trouble and expenses; he was afraid of the consequence which would result from a parsimonious provision for the legislature of the general government.

Mr. Sedgwick advocated a reduction of the allowance, because he thought the temper of the people would be disoblged by the largeness of the sum: he did not think it more than a compensation for the sacrifices which gentlemen made, in dedicating their time and abilities to the public service; but he judged it to be more than the abilities of the people were able to support.

Mr. Vining joined the gentleman from Maryland (mr. Carroll) in supposing the motion out of order; and called upon the chairman, mr. Boudinot, to decide upon the point of order, which mr. Boudinot did, by saying, that when a bill was committed to a committee of the whole, every part of it was open to debate and alteration. Mr. Vining then proceeded to oppose a deduction of the compensation: he thought that gentlemen could not live, and reciprocate those civilities which common politeness and their situation required, for a less sum than that proposed in the bill. He presumed it was not the intention of the house, to embarrass the situation of gentlemen, who were at considerable expense in moving their

families to the seat of government, in order to be more at liberty to employ their attention to public business, and not have their minds divided between their domestic and public affairs. He thought that congress might contemplate a reduction of the compensation, when they should be removed to a place less expensive than the capital of one of the most considerable states in the union. When that event took place—and he would join the gentleman from Virginia (mr. White) who had dropped a sentiment yesterday of the kind—in giving his consent that it should early take place—he thought that the expenses of the civil list might then be properly reduced; but at present he could not think a less sum, than that proposed in the bill, was more than was absolutely necessary for the support of the members of congress; it was the averaged sum of what was given to the members of the late congress.

Mr. Fitzsimons thought every gentleman was able to form an opinion, from the facts within his knowledge, of what would be a proper compensation for his services and expenses.

Mr. Sedgwick reprobated these sentiments, as tending to preclude debate; for they would apply upon every other subject, as well as this.

Mr. Page again opposed the reduction, and joined in sentiment with mr. Fitzsimons, that much argument was unnecessary.

The question, for striking out fix dollars, was put, and determined in the negative, thirty-four to sixteen.

A motion was made for reducing the compensation to the speaker, which met with a similar fate.

The committee, not having time to go through the bill, rose, and reported progress. Adjourned.

Thursday, August 6.

MR. WHITE, from the committee appointed for the purpose of examining the enrollment of the laws, reported that they had examined the act concerning light houses, the act for establishing a department of war, and the act relative to the government of the western territory; that they were duly enrolled, and ready for the signature of the speaker.

The order of the day, for taking up the bill relative to copy rights of

authors and inventors, was postponed till Thursday next.

Mr. Gerry moved a resolution, that a committee be appointed to report a catalogue of books, necessary for the use of congress, and an estimate of the amount thereof, and the best mode of procuring them. The resolution was read and laid on the table.

The house went into a committee on the bill for establishing the compensation to be allowed the members of congress, and their officers, and having made some amendments to the bill, rose and reported the same: the bill was agreed to, and ordered to be engrossed; it now stands as follows:

The wages of the speaker twelve dollars per day, the other members six dollars per day, and two days' pay for every twenty miles distance from home.

The salary of the Chaplains was fixed at the rate of 500 dollars per annum, during the session of congress.

The salary of the secretary of the senate, and clerk of the house, at the rate of 1,500 dollars per annum, and two dollars per day, during the sessions of congress.

The first clerks under the secretary and clerk of the houses, at three dollars per day, and the other clerks at two dollars per day, each.

The serjeant at arms, four dollars per day, during the sessions.

The door-keepers, 750 dollars per annum, and their assistants, two dollars per day, during the sessions.

A message was received from the senate, that they persisted in their amendments to the treasury-bill, respecting the removability of the secretary by the president.

That they had agreed to the resolution of the house for appointing a committee to report what business ought to be finished previous to the adjournment. Adjourned.

Friday, August 7.

MR. Gerry introduced a motion, that a committee be appointed to prepare and report a bill for the further encouragement of the navigation and commerce of the united states. This motion was adopted, and a committee, consisting of mr. Gerry, mr. Trumbull, and mr. Burke, appointed.

The following message was received.
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ed from the president, by general Knox, viz.

Gentlemen of the house of representatives,

THE business which has hitherto been under the consideration of congress, has been of so much importance, that I was unwilling to draw their attention from it to any other subject. But the disputes, which exist between some of the united states and several powerful tribes of Indians, within the limits of the union, and the hostilities which have in several instances been committed on the frontiers, seem to require the immediate interposition of the general government.

I have therefore directed the several statements and papers, which have been submitted to me on this subject by general Knox, to be laid before you for your information.

While the measures of government ought to be calculated to protect its citizens from all injury and violence, a due regard should be extended to those Indian tribes, whose happiness, in the course of events, so materially depends on the national justice and humanity of the united states.

If it should be the judgment of congress, that it would be most expedient to terminate all differences in the southern district, and to lay the foundation for future confidence, by an amicable treaty with the Indian tribes in that quarter, I think proper to suggest the consideration of the expediency of instituting a temporary commission for that purpose, to consist of three persons, whose authority should expire with the occasion.

How far such a measure, unassisted by posts, would be competent to the establishment and preservation of peace and tranquility on the frontiers, is also a matter which merits your serious consideration.

Along with this object, I am induced to suggest another, with the national importance and necessity of which I am deeply impressed; I mean some uniform and effective system for the militia of the united states. It is unnecessary to offer arguments in recommendation of a measure, on which the honour, safety, and well-being of our country so evidently and so essentially depend.

But it may not be amiss to observe,

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that I am particularly anxious it should receive as early attention as circumstances will admit; because it is now in our power to avail ourselves of the military knowledge disseminated throughout the several states, by means of the many well instructed officers and soldiers of the late army, a resource which is daily diminishing by deaths and other causes.

To suffer this peculiar advantage to pass away unimproved, would be to neglect an opportunity which will never again occur, unless, unfortunately, we should again be involved in a long and arduous war.

G. WASHINGTON.

New York, August 7, 1789.

Another message was received from the president, by mr. secretary Lear, with three acts of congress, to which the president had affixed his approbation and signature, viz. the bill for establishing light-houses, beacons, buoys, and public piers; the bill for establishing the government of the western territory; and the bill for establishing the war department.

The engrossed bill, for allowing compensations to the members and officers of the two houses, was read; a motion was then made by mr. Sedgwick, that the same should be recommitted; this motion was seconded by several members, which brought on a debate.

The question, for the recommitment, was determined in the affirmative; and the house went into a committee of the whole.

The several clauses of the bill were then discussed, and the following amendments agreed to, viz. instead of two days' pay as an allowance for every twenty miles distance from the seat of government, six dollars, for every twenty-five miles, were inserted.

The allowance of seven hundred and thirty dollars to the doorkeeper, was struck out, and three dollars a day, during the session, for himself, and such labourers as he may find it necessary to employ, was voted. The other articles stand as agreed to yesterday: the discussion being finished, the committee rose, and the chairman reported the amendments, which were acceded to by the house, and the bill was again ordered to be engrossed for a third reading on Monday next. The house then adjourned.

Saturday, August 8.

THE message from the president, respecting Indian affairs and the militia of the union, received yesterday, was taken into consideration by the committee of the whole house on the state of the union, and it was resolved,

That it is the opinion of this committee, that an act ought to pass, providing for the necessary expenses attending any negotiations or treaties which may be held with the Indian tribes, or attending the appointment of commissioners for those purposes.

Resolved, that it is the opinion of this committee, that an act ought to pass, providing a proper system of regulations for the militia of the united states.

These resolutions were adopted by the house. Adjourned till Monday.

Monday, August 10.

THE engrossed bill for allowing compensations to the members of congress, and the officers of both houses, was read a third time; on the question, shall this bill pass? the yeas and nays were called for by mr. Goodhue. Affirmative—Messrs. Baldwin, Benson, Brown, Burke, Carroll, Clymer, Fitzsimons, Gale, Griffin, Hartley, Heister, Huntington, Larrance, Lee, Madison, Matthews, Moore, P. Muhlenberg, Page, Scott, Seney, Smith, (M.) Smith, (S. C.) Stone, Sturges, Sumpter, Trumbull, Tucker, Vining, and Wadsworth.—thirty.

Negative—Messrs. Ames, Boudinot, Cadwallader, Floyd, Gerry, Gilman, Goodhue, Grout, Hathorn, Leonard, Livermore, Partridge, Van Rensselaer, Sedgwick, Sylvester, and Thacher.—Fourteen.

The amendments insisted on by the senate to the treasury bill, were taken up, and a vote passed for requesting a conference upon the subject.

The following message from the president, was delivered to the house by general Knox.

Gentlemen of the house of representatives,

I HAVE directed a statement of the troops in the service of the united states, to be laid before you, for your information.

These troops were raised by virtue of the resolves of congress of the 20th of October, 1785, and the 3d of Oc-

tober, 1787, in order to protect the frontiers from the depredations of the hostile Indians; to prevent all intrusions on the public lands; and to facilitate the surveying and selling the same, for the purpose of reducing the public debt.

As these important objects continue to require the aid of troops, it is necessary that the establishment thereof should, in all respects, be conformed, by law, to the constitution of the united states. G. WASHINGTON.

New York, August 10.

A statement of the troops now in service, accompanied the message.

Mr. Clymer, from the committee appointed for the purpose, brought in a bill for providing for the expenses of the Indian treaties, &c. Adjourned.

Tuesday, August 11.

THE bill for providing for the expenses of negotiations, and treating with the Indians, and the appointment of commissioners for that purpose, was read a second time, and referred to a committee of the whole house.

The house then resolved itself into a committee of the whole, to take the above bill into consideration.

The words in the bill "that commissioners not exceeding three" it was moved should be struck out. This motion was opposed. It was contended, that if the appointment of commissioners be left indefinite, and they might be increased at pleasure, the united states may be plunged in great and heavy expenses. That past experience has shewn, that great frauds and peculations may be justly apprehended in these negotiations. That it was unconstitutional to vote monies, except a previous estimate of the service to be performed, was exhibited. It was further said, that the right of making and judging of treaties, was in the legislature; that the motion went to divest the house of a right, vested in it by the constitution—that the house could not justify the measure to its constituents—and that it would open a door to such encroachments, and establish such a precedent, and might be attended with the worst consequences—that the right of the house to interpose in the forming of treaties, is evident from this, "that the power

of making provision for the expenses of carrying those treaties in execution, rests in the house"—this was evident, it was said, from this, "that if ten commissioners should be appointed, still the house may provide for such a number as they may think proper."

In support of the motion, it was said—that it is entirely improper to limit the number of the commissioners—that the constitution has expressly vested the power of forming treaties in the executive—that, in fact, the house had nothing further to do in the business, than to provide the necessary supplies—that if we are to be deterred from adopting the motion by the fear of abuses, the same principle may prevent the decision of the house, upon almost any question that comes before them—but there are more serious abuses to be apprehended from neglect and delay in this business, than from the supposed fraudulency of those who may be appointed commissioners. War will open a wider door to frauds and peculations—and is not (it was asked) the shedding of blood a greater evil? Is not the destruction of our defenceless citizens an abuse of a much more alarming consequence? It was further observed, that we have every reason to suppose, that such persons will be appointed, as have a character to support—a magnanimous policy, it is expected, will be adopted by the new government—such a policy as will inspire a veneration and confidence in the minds of the Indian tribes—and if, agreeable to this idea, a respectable commission is appointed in due season, much expense in future, and a cruel war, may be prevented. It was said, that the constitution has assigned to the several parts of the administration, their respective powers. The power of forming treaties is not in the house; and if they usurp this power, they may, upon the same principle, assume all the powers of the constitution: if we restrain the president as to the number of commissioners, it may be necessary for him to exceed the limitation, and it would, in that case, certainly be his duty to do it, which would render the restriction nugatory.

The vote being taken, the motion for striking out the words, passed in the affirmative, by a large majority.

A motion was then made, that the committee should rise, and report the bill—upon which,

Mr. Jackson rose, and said, that he conceived it to be his indispensable duty, to give the house some information respecting the deplorable situation of the defenceless, plundered, and wretched inhabitants of the state of Georgia. Whatever congress may do, respecting the sending commissioners to treat with the Creek Indians, except the latter, at the same time, are given to understand, and made to believe, that, if they will not treat, the arm of power will be extended to teach them justice, the appointment of commissioners will be of no avail. We have lately sent commissioners, who were treated with contempt—and since that time, the people have been plundered, their houses destroyed, and numbers of them butchered, no age or sex has been spared. Mere paper negotiations they are taught to despise. Congress alone can strike them with awe: To congress the people look for redress—and if they are not succoured and relieved by the union, they must seek protection elsewhere. In full confidence of this support and protection, they were led to the unanimous adoption of the new constitution. And shall their hopes and expectations be defeated? I trust not. The Creek chief has his emissaries in S. and North Carolina, and in Georgia—and the determination of this legislature will be soon known to him. It is in vain to think of giving security to the citizens of Georgia, or bringing these Indians to treat, without inspiring a full apprehension, that a sufficient force will be raised to convince them of the power of the united states to bring them to terms. Mr. Jackson added several other observations, and concluded by reading a clause, which he moved should be added to the bill—providing for the raising a sufficient military force, for the protection of the inhabitants of the state of Georgia, in case the Creeks refuse to enter into a treaty.

This motion was seconded, but, after some debate, it was withdrawn.

The committee then rose, and the chairman reported the bill, with the amendments, to which the house acceded, and voted that the bill be en-

grossed for a third reading to morrow.

The message received from the president yesterday, was read, and referred to a committee of the whole house on the state of the union. Mr. Jackson then brought forward his clause in the form of a resolution, which was referred to the same committee.

Mr. Wadsworth, of the joint committee appointed to consider and report when it will be convenient for congress to adjourn—also to report what business, now before congress, must be necessarily attended to, previous to a recess, brought in a report to this effect: that it will be proper and convenient for congress to adjourn on the twelfth of September next—and that, postponing other business, till the next session, it will be necessary to attend to the following bills, previous to the adjournment, viz.

For establishing the treasury, and judicial departments.

To regulate the coasting trade.

For allowing compensations to the president and vice president.

For allowing compensations to the members, and officers of both houses of congress.

For providing for the expenses of negotiations and treating with the Indians.

Also the reports of the committees on the memorial of Andrew Ellicot; and on the subject of the amendments.

The bills to regulate the punishment of crimes.

To regulate processes in the federal courts, and fees in the same.

The salaries of the judges.

The salaries of the executive officers.

And the bill for the safe keeping of the acts, records, and great seal of the united states.

This report being read, the house adjourned.

Wednesday, August 12.

THE engrossed bill, providing for the expenses which may attend negotiations, and treating with the Indian tribes, and for appointing commissioners to superintend the same, was read, when the house proceeded to fill up the blanks. It was moved, that the sum of forty one thousand dollars be inserted in the first blank. This mo-

tion was opposed by mr. Sumpter, mr. Gerry, and mr. Livermore. It was said, that a previous estimate of the expenses necessary to be incurred, ought first to be exhibited to the house; that great frauds and abuses had been complained of in these negotiations; that the whole amount of the revenue would fall short of the necessary expenses of the current year, and therefore it was incumbent on the house, to grant monies with due caution and deliberation; that it could not be contended that so large a sum was requisite, but on the supposition of a very large number of Indians attending, and presents being provided for them. It was urged, that the treaties would be as efficacious, without collecting a whole nation together; and, the custom of giving presents, was reprobated by some of the members, as a measure fraught with useless expense, much mischief, and inconvenience.

Mr. Jackson, mr. Hartley, mr. Clymer, and mr. Baldwin, supported the motion. The latter gentleman produced a statement of the expenses which would arise from holding a treaty with the Creek nation only, of which it was expected that one thousand five hundred would attend. It was observed, that the sum moved for, was to defray the expenses of treating with the Indian tribes in general—more particularly with the Wabash nation, and with the tribes to the southward of the Ohio. That, agreeably to the estimate which was laid on the table, the whole sum moved for, would be necessary: but if the house chose to have the treaties conducted upon different principles from what had been customary, they could make such alterations as they might see proper.

The motion for forty-one thousand dollars, being put, it passed in the negative. Mr. Madison then moved, that the blank should be filled with forty thousand: this was likewise opposed; and the yeas and nays called for on the question, which are as follow:

Ayes. Messrs. Baldwin, Benson, Brown, Burke, Cadwallader, Clymer, Cole, Fitzsimons, Gale, Griffin, Hartley, Huntington, Jackson, Laurance, Lee, Madison, Matthews, P. Muhlenberg, Page, Scott, Smith,

(S. C.) Stone, Sylvester, Trumbull, Tucker, Vining, Wadsworth, Wynkoop.—Twenty-eight.

Nays. Messrs. Ames, Boudinot, Carrol, Floyd, Gerry, Gilman, Grout, Heister, Hathorn, Leonard, Livermore, Moore, Parker, Partridge, Van Rensselaer, Schureman, Sedgwick, Seney, Sherman, Smith, (M.) Sturgis, Sumpter, Thacher.—Twenty-three.—So the motion was carried.

The blank in the clause for allowing a compensation to the commissioners, was filled with eight dollars per day, exclusive of their actual expenses at the place of holding the treaties.

Thursday, August 13.

THE engrossed bill, providing for the expenses of negotiations and treating with the Indians, &c. was read, and passed to be enacted.

Mr. Lee moved, that the house should resolve itself into a committee of the whole on the state of the union, to take into consideration the report of the committee on amendments to the constitution.

The immediate adoption of this motion was advocated by mr. Madison, mr. Page, and mr. Hartley, and opposed by mr. Sedgwick, mr. Smith, (S. C.) mr. Gerry, mr. Laurance, and mr. Sherman. The latter gentleman particularly observed, that there was a great variety of business before the house, which it is of the greatest importance should precede the consideration of all other; that it appears absurd to make alterations in a form of government, before it has an operative existence; that it is of the first consequence to complete the judiciary bill; that without this, and several other bills, now pending in the house, we cannot carry one of the revenue laws into execution; not a breach of the laws of the united states can be punished; not a vessel can be seized. The discussion of the subject, at this moment, will obstruct the wheels of government, and throw every thing into confusion—mean time the united states are without law, and have no authority to punish a single crime. It was further said, that few, if any of the state-assemblies are in session, and therefore it will unnecessarily consume the present time, which is so precious: that the people, reposing full confidence in the justice and wisdom of the

house that this subject would have reasonable and due attention paid to it, are as anxious to see the government in operation, as they are about amendments.

The speakers against the motion generally expressed themselves in favour of taking up the subject as soon as the judicial, executive, and revenue departments were so far completed, that it could with propriety be said we had a government.

In support of the motion it was observed, that since the subject has first been introduced, so much time has elapsed, that if it is not now taken up, the people will be led to suppose, that it is the intention of congress never to do any thing in the business; that the people are extremely anxious upon the subject, and nothing short of a conviction, that those rights, which they conceive to be in danger, as the constitution now stands, will be placed in a state of greater security, will quiet their apprehensions. That the number of those in favour of amendments, consisted of a large and respectable proportion of the citizens of the states. That the peace and tranquility of the union depend upon a proper attention to their just expectations. That if those who are anxious for amendments, had been added to those who openly opposed the constitution, it would have probably met a quite different fate. That except these amendments are made, the government will want the confidence of the people, and that energy, which is necessary to its existence. That the same reasons for a postponement have repeatedly been assigned; and there is no prospect that a more convenient opportunity will offer.

The question being put on the motion of Mr. Lee, it passed in the affirmative. The house accordingly formed into a committee of the whole—Mr. Boudinot in the chair.

The report of the committee was then read, the first article of which is in these words, viz.

In the introductory paragraph of the constitution, before the words, "we the people," add, "government, being intended for the benefit of the people, and the rightful establishment thereof being derived from their authority alone."

M. Sherman. I am opposed to this mode of making amendments to the constitution, and am for striking out from the report of the committee, the first article entirely. I conceive that we cannot incorporate these amendments in the body of the constitution. It would be mixing brass, iron, and clay—it would be as absurd as to incorporate an act in addition to an act, in the body of the act proposed to be amended or explained thereby, which, I believe, was never heard of before. I conceive that we have no right to do this, as the constitution is an act of the people, and ought to remain entire, whereas the amendments will be the act of the several legislatures. Mr. Sherman then read a proposition, which he moved should be substituted in place of the article in the report.

This being seconded, brought on an interesting debate, whether the amendments should be incorporated in the body of the constitution, or be made a distinct supplementary act.

Mr. Madison supported the former, and said, that he did not coincide with the gentleman from Connecticut. I conceive, said he, that there is a propriety in incorporating the amendments in the constitution itself, in the several places to which they belong; the system will, in that case, be uniform and entire; nor is this uncommon. It is true, that acts are generally amended by additional acts; but this, I believe, may be imputed rather to indolence; this, however, is not always the case; for, where there is a taste for political and legislative propriety, it is otherwise. If these amendments are added to the constitution, by way of supplement, it will embarrass the people; it will be difficult for them to determine to what parts of the system they particularly refer; and, at any rate, will create unfavourable comparisons between the two parts of the instrument. If these amendments are adopted, agreeably to the plan proposed, they will stand upon as good foundation as the other parts of the constitution, and will be sanctioned by equally good authority. I am not, however, very solicitous about the mode, so long as the business is fully attended to.

Mr. Smith, (S. C.) agreed with

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mr. Madison, and read that clause in the constitution, which provides that alterations and amendments, when agreed to, shall become part of the constitution—from whence he inferred, that it was evidently the design of the framers of the system, that they should be incorporated—nor is the house at liberty to adopt any other mode. Mr. Smith cited the instance of South Carolina, which, instead of making acts in addition to acts, which had been found extremely perplexing, repealed their laws generally, in order to form a more simple and unembarrassing code.

Mr. Livermore supported the motion of mr. Sherman—he adverted to the custom and usage of the British legislature, and of the several state assemblies, in forming laws and additional acts. We have no right, he observed, to make any alterations or interpolations in the instrument—it will be attended with difficulties, in some future day.

Mr. Vining. Adding amendments, will be attended with a variety of inconveniences—it will distort the system—it will appear like a letter, which, carelessly written in haste, requires a postscript much longer than the original composition—this motion is founded upon the custom of amending acts by additional acts, to explain and amend preceding acts, a custom, which involves endless perplexities, and has nothing in reason to recommend it.

Mr. Clymer advocated the motion: I wish, sir, that the constitution may forever remain in its original form, as a monument of the wisdom and patriotism of those who framed it.

Mr. Stone was in favour of mr. Sherman's motion. If, sir, said he, the amendments are incorporated in the instrument, it will assert that which is not true—for this constitution has been signed by the delegates from the several states, as a true instrument—and therefore, in this case, we must go further, and say, that a constitution made at such a time, was defective, and George Washington, and those other worthy characters who signed this instrument, cannot be said to have signed the constitution.—According to the observation of the gentleman from South-Carolina, re-

specting repealing laws, to make a complete act, we must repeal the constitution in order to make a new one:—but will any gentleman say that this legislature has authority to do this? To incorporate these amendments, the constitution must, however, be repealed in part, at least—the moment we prepare ourselves to do this, there is an end of the constitution, and to the authority under which we act. Mr. Stone then replied particularly to the inference drawn by mr. Smith, from the passage which he had quoted from the constitution, and observed, that the words could not imply anything more than this, that such amendments, when adopted, agreeably to the mode pointed out, would be equally binding with the other parts of the system, to which they do not specially refer.

Mr. Gerry enquired whether the mode could make any possible difference in the validity of the system, provided the sanction is the same. He conceived it could not. The constitution, in my opinion, said he, has provided that amendments should be incorporated. The words are express, that they shall become “part of this constitution.” The gentleman, (mr. Stone) says, we shall lose the names of the worthy gentlemen who subscribed the constitution: but I would ask, whether the names would be of any consequence, except the constitution had been ratified by the several states? or will the system be of no effect, since it is ratified, if the names were now erased? If we adopt the mode proposed, we shall, in all probability, go on to make supplements to supplements, and thus involve the system in a maze of doubts and perplexities. It appears to me, that in order that the citizens of the united states may know what the constitution is, it is necessary that it be comprized in one uniform, entire system. If the amendments are incorporated, the people will have one constitution; but if they are added by way of supplement, they will have more than one: and if in the original system, there should any clauses be found, which are inconsistent with the added amendments, the government will be compounded of opposite principles, both in force at the same time.

Upon the idea of gentlemen, as to the sacredness of the original system, if amendments are made upon their plan, they will be considered in a point of light inferior to the original; in this view, amendments are of no consequence, and had better be omitted. This would tend to defeat the salutary purposes of amendments altogether, by derogating from their dignity and authority.

Mr. Laurance was in favour of the motion made by Mr. Sherman: he said, it appeared to him impossible to incorporate the amendments in the constitution, without involving very great absurdities in the supposition. If they should be engrafted in the body of the constitution, it will make it speak a language different from what it originally did. What will become of the laws enacted under the instrument, as it originally stood? Will they not be vitiated thereby? The ratifications of the several states had respect to the original system. It is true that a majority of them have proposed amendments; but this does not imply a necessity of altering the original, so as to make it a different system from that which was ratified. The mode, proposed by the motion, is agreeable to custom; it is the least liable to objection, and appears to me safe and proper.

Mr. Benson observed; that this question was agitated in the select committee, and the result is contained in the report now under consideration. It should be remembered, that the ratifications of several of the states enjoin the alterations and amendments in this way; they propose that some words should be struck out, and the sentences altered. I do not conceive that incorporating the amendments can affect the validity of the original constitution: that will remain where it is, in the archives of congress, unaltered, with all the names of the original subscribers. The amendments are provided for in that instrument, and completing those amendments is completing the original system—the records of the legislature will inform how this was done; and for my part, I can see no difficulty in proceeding agreeably to the report of the committee.

Mr. Page said, he supposed that

the committee of the whole is now acting upon the constitution as upon a bill: and they have a right, said he, to take up the subject paragraph by paragraph.

I am opposed to the amendment of the preamble of the constitution, as proposed by the committee, as well as to the motion of the gentleman from Connecticut. I could wish, therefore, that we may not consume time in settling the mere form of conducting the business; but proceed, after rejecting the first amendment, to consider those that are subsequent in the report.

Mr. Livermore replied to Mr. Page. He said, that with respect to the constitution, the committee stood upon quite different grounds from what they did when discussing a bill; and he contended, that it is not in the power either of the legislature of the united states, or of all the legislatures upon the continent, to alter the constitution, unless they were specially empowered by the people to do it.

Mr. Jackson advocated the motion of Mr. Sherman—he said, if we repeal this constitution, we shall perhaps, the next year, have to make another—and in that way the people will never be able to know whether they have a permanent constitution or not. The constitution, in my opinion, ought to remain sacred and inviolate. I will refer to the constitution of England. Magna charta has remained, as it was received from king John to the present day, and the bill of rights the same; and although the rights of the people, in several respects, have been more clearly ascertained and defined, those charters remain entire: a constitutional privilege has lately been established, in the independence of the judges, but no alteration in the constitution itself, was thought proper. All the amendments are supplementary—the sacred deposit of English liberty remains untouched—their great charter remains unaltered, though defects have been supplied, and additions made. The constitution of the united states has been made by the people; it is their own act, and they have a right to do it. I hope we shall not do any thing to violate or mutilate it. I therefore heartily join in the motion for striking out the words

and adopting the mode proposed by the gentleman from Connecticut.

The question on Mr. Sherman's motion being taken, it passed in the negative.

A doubt was then raised, whether it was necessary that the article in the constitution, which requires that two thirds of the legislature should recommend amendments, should be attended to by the committee—this occasioned a debate—an appeal was made to the chairman, who determined that the business, while before the committee, should be transacted in the usual manner, by a majority—an appeal was made from this judgment to the house, and on the question being put, whether the chairman's decision was in order, it passed in the affirmative.

The committee then rose, reported progress, and had leave to sit again to-morrow. Adjourned.

Friday, August 14.

The house went into a committee on the amendments to the constitution.

Mr. Trumbull in the chair.

The first amendment was again read, which was, to prefix to the introductory paragraph these words—"Government being intended for the benefit of the people, and the rightful establishment thereof being derived from their authority alone."

Mr. Gerry objected to the phraseology of this clause; it might seem to imply, that all governments were instituted and intended for the benefit of the people, which was not true. Indeed, most of the governments, both of ancient and modern times, were calculated on very different principles. They had chiefly originated in fraud or in force, and were designed for the purpose of oppression and personal ambition. He wished to have nothing go out from this body, as a maxim, which was false in fact, or which was not clear, in its construction. He moved to alter the clause, by inserting the words "of right."—This motion was negatived.

Mr. Tucker objected to any amendments being made to the preamble of the constitution. This, he said, was no part of the constitution; and the object was only to amend the constitution: the preamble was no more a subject of amendment, than the letter of the president, annexed to the constitution.

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Mr. Smith (S. C.) in answer to Mr. Tucker, shewed that this amendment had been recommended by three states, and that it was proper it should be made.

Mr. Tucker replied, that he was not opposed to the principle; but thought this was an improper place to express it. It could be inserted with propriety in a bill of rights, if one should be agreed on, and in that form be prefixed to the constitution: but the preamble was not the place for it.

Other gentlemen objected to the whole clause, as it was unnecessary, since the words, "we the people," contained the principle of the amendment fully. Mr. Sherman observed, that if the constitution had been a grant from another power, it would be proper to express this principle: but as the right, expressed in the amendment, was natural, and inherent in the people, it is unnecessary to give any reasons or any ground on which they made their constitution: it was the act of their own sovereign will. It was also said, that it would injure the beauty of the preamble.

Mr. Madison contended for the amendment—he saw no difficulty in associating the amendment with the preamble, without injuring the propriety or sense of the paragraph. Though it was indisputable, that the principle was on all hands acknowledged, and could itself derive no force from expressing it, yet he thought it prudent to insert it, as it had been recommended by three respectable states.

The question, on adopting the amendment, being put, was carried in the affirmative.

Second amendment: from art. 1, sect. 2, par. 3, strike out all between the words "direct" and "until such:" and, instead thereof, insert "after the first enumeration, there shall be one representative for every thirty thousand, until the number shall amount to one hundred; after which, the proportion shall be so regulated by congress, that the number of representatives shall never be less than one hundred, or more than one hundred and seventy-five: but each state shall always have at least one representative."

Mr. Vining moved, that a clause should be inserted in the paragraph, providing, that, when any one state

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possessed forty-five thousand inhabitants, it should be entitled to two representatives.

This was negatived without a division.

Mr. Ames then moved to strike out the word, "thirty" and insert "forty;" so that the ratio of representation should be one for forty thousand—he went into a train of reasoning to prove the superior advantages of a small representation. He drew an argument, in the first place, from the satisfaction which the people universally expressed in the present representation, that their minds were reconciled to it, and were convinced, that a more faithful and more prompt discharge of the business of the union would take place, in so small an assembly. Experience had taught them, that all the information that was necessary—both of a general and local nature—would be found in a body similar to the present. He suggested the importance of the expense of a numerous representation, as a capital burden, which would soon become dissatisfactory to the people. According to the ratio of one to thirty thousand, the increase of the people would swell the representation to an enormous mass, whose support would be insufferable, and whose deliberations would be rendered almost impracticable. The present population would, on the first census, produce upwards of one hundred. The augmentation would be very rapid; it was therefore proper to fix the proportion immediately, so as to prevent these evils. He went very copiously into the usual arguments, to prove that all numerous popular bodies are liable, in proportion to their number, to fluctuations, fermentations, and a factious spirit. By enlarging the representation, the government, he said, would depart from that choice of characters, who could best represent the wisdom and the interest of the united states; and who would alone be able to support the importance and dignity of this branch of the legislature. Men would be introduced, more liable to improper influences, and more easy tools for designing leaders.

He said, it appeared clear to him, that, as the whole number was increased, the individual consequence—the

pride of character—and, consequently, the responsibility—of each member would be diminished. The responsibility would also be in some proportion to the number of the constituents. A representative of a large body of people would feel, in a higher degree, the weight imposed upon him; and he would be thereby the more interested to support a virtuous fame, and redouble his exertions for the public good.

He contended, that the original design of those, who proposed the amendment, respecting representation, was not to obtain an increase, beyond what their first census would give them; their intention was, to fix a limitation, that it should not be in the power of congress, to diminish the representation at any time, below the point of security. Their object was certainly not augmentation.

Mr. Madison, in reply, insisted, that the principal design of these amendments, was, to conciliate the minds of the people: and prudence required, that the opinion of the states, which had proposed the important amendment in contemplation, should be attended to. He said, it was a fact, that some states had not confined themselves to limitation, but had proposed an increase of the number; he did not conceive it to be very necessary in this case, to investigate the advantages or disadvantages of a numerous representation; he acknowledged, that, beyond a certain point, the number might be inconvenient. That point was a matter yet of uncertainty. It was true, that numerous bodies were liable to some abuses; but if, on one hand, they were prone to those evils, which the gentleman had mentioned, they were, on the other hand, less susceptible of corruption.

He thought, also, that to fix the ratio at even 40,000 for one, would not prevent the abuses which Mr. Ames apprehended: for, before the second census should be taken, it was probable that the increase of population would be so great, as to make the body very large. There was little choice, therefore, with a view to futurity, between one ratio or the other: but as this, of one for thirty thousand, was the proportion contemplated and proposed by the states, it was most advisable to adopt it.

Mr. Gerry, Mr. Sedgwick, Mr. Livermore, Mr. Jackson, and Mr. Seney, opposed the amendment; and Mr. Ames replied to them largely. The question being taken, Mr. Ames's proposition was rejected.

Mr. Tucker moved to strike out the first "one hundred" in the amendment, and to insert "two hundred," and then to strike out the rest of the paragraph—so that the representation should not be less than two hundred; nor should congress have a discretion, to fix any ratio of increase, but that such proportion should be adopted, as to keep the representation fixed at two hundred.

After some debate, this motion was negatived.

On motion of Mr. Sedgwick, the words "one hundred and seventy-five," were struck out, and "two hundred" inserted. And then the paragraph, as amended, was agreed to.

Third amendment. Art. 1, sec. 2, par. 3—Strike out all between the words "direct" and "and until such," and instead thereof, insert, "but no law, varying the compensation, shall take effect, until an election of representatives shall have intervened. The members."

This amendment was agreed to.

Committee rose—house adjourned.

Saturday, August 15.

The house went into a committee on the amendments to the constitution.

Mr. Boudinot in the chair.

The committee took up the fourth amendment.—"Art. 1, sect. 9.—Between par. 2, and 3—insert—"no religion shall be established by law, nor shall the equal rights of conscience be infringed."

Mr. Livermore moved to strike out this clause, and to substitute one, to the following effect—"The congress shall make no laws touching religion, or the rights of conscience." He observed, that though the sense of both provisions was the same, yet the former might seem to wear an ill face, and was subject to misconstruction.

The question on this motion was carried.

Fifth amendment.—"The freedom of speech and of the press, and the right of the people peaceably to

assemble and consult for their common good, and to apply to the government for redress of grievances, shall not be infringed."

Mr. Tucker moved to insert between the words "common good," and "and to" in this paragraph, these words, "to instruct their representatives."

On this motion a long debate ensued.—

Mr. Hartley said, it was a problematical subject.—The practice on this principle might be attended with danger. There were periods, when, from various causes, the popular mind was in a state of fermentation, and incapable of acting wisely.—This had frequently been experienced in the mother country, and once in a sister state. In such cases, it was a happiness to obtain representatives, who might be free to exert their abilities against the popular errors and passions.—The power of instructing, might be liable to great abuses; it would, generally, be exercised in times of public disturbance, and would express rather the prejudices of faction, than the voice of policy; thus it would convey improper influences into the government. He said he had seen so many unhappy examples of the influence of the popular humours in public bodies, that he hoped they would be provided against, in this government.

Mr. Page was in favour of the motion.

Mr. Clymer remarked, that the principle of the motion was a dangerous one. It would take away all the freedom and independence of the representatives, and destroy the very spirit of representation itself, by rendering congress a passive machine, instead of a deliberative body.

Mr. Sherman insisted, that instructions were not a proper rule for the representative, since they were not adequate to the purposes for which he was delegated. He was to consult the common good of the whole, and was the servant of the people at large. If they should coincide with his ideas of the common good, they would be unnecessary; if they contradicted them, he would be bound, by every principle of justice, to disregard them.

Mr. Jackson also opposed the motion.

Mr. Gerry advocated the proposition—he said, the power of instructing was essential, in order to check an administration, which should be guilty of abuses.—Such things would probably happen. He hoped gentlemen would not arrogate to themselves more perfection than any other government had been found to possess—or more, at all times, than the body of the people. It had, he said, been always contended, by the friends of this government, that the sovereignty resided in the people. That principle seemed inconsistent with what gentlemen now asserted; if the people were the sovereign, he could not conceive why they had not the right to instruct and direct their agent, at their pleasure.

Mr. Madison observed, that the existence of this right of instructing, was at least a doubtful right. He wished, that the amendments which were to go to the people, should consist of an enumeration of simple and acknowledged principles. Such rights only ought to be expressly secured, as were certain and fixed.—The insertion of propositions, that were of a doubtful nature, would have a tendency to prejudice the whole system of amendments, and render their adoption difficult. The right suggested was doubtful; and would be so considered by many of the states. In some degree, the declaration of this right might be true—in other respects false. If by instructions was meant giving advice, or expressing the wishes of the people, the proposition was true; but still was unnecessary, since that right was provided for already. The amendments, already passed, had declared, that the press should be free, and that the people should have the freedom of speech and petitioning; therefore the people might speak to their representatives, might address them through the medium of the press, or by petition to the whole body. They might freely express their wills by these several modes. But if it was meant that they had any obligatory force, the principle was certainly false. Suppose the representative was instructed to do any act incompatible with the constitution, would he be bound to obey those instructions? Suppose he was directed to do what he knew was contrary to the public good, would he be bound to sacrifice

his own opinion? Would not the vote of a representative, contrary to his instructions, be as binding on the people as a different one? If these things then be true, where is the right of the constituent? Or, where is the advantage to result from? It must either supersede all other obligations, the most sacred, or it could be of no benefit to the people. The gentleman says, the people are the sovereign: True. But who are the people? Is every small district, the people? And do the inhabitants of this district express the voice of the people, when they may not be a thousandth part, and although their instructions may contradict the sense of the whole people besides?—Have the people, in detached assemblies, a right to violate the constitution, or control the actions of the whole sovereign power?—This would be setting up a hundred sovereignties in the place of one.

Mr. Smith, (S. C.) was opposed to the motion. He said, the doctrine of instructions, in practice, would operate partially. The states, which were near the seat of government, would have an advantage over those more distant. Particular instructions might be necessary for a particular measure: such could not be obtained by the members of the distant states. He said, there was no need of a large representation, if in all important matters, they were to be guided by express instructions. One member from each state would serve every purpose. It was inconsistent with the principle of the amendment which had been adopted the preceding day.

Mr. Stone differed with Mr. Madison, that the members would not be bound by instructions. He said, when this principle was inserted in the constitution, it would render instructions sacred and obligatory in all cases; but he looked on this as one of the greatest of evils. He believed this would change the nature of the constitution. Instead of being a representative government, it would be a singular kind of democracy, and whenever a question arose, what was the law, it would not properly be decided by recurring to the codes and institutions of congress, but by collecting and examining the various instructions of different parts of the union.

Several of the members spoke, and the debate was continued in a desultory manner—and at last the motion was negatived by a great majority. The question on the original amendment was then put, and carried in the affirmative.

Committee rose.

Mr. Ames moved, that all questions on the subject of the amendments, should be decided in committee by two thirds of the members. This was laid on the table.

The house then adjourned.

Monday, August 17.

In committee of the whole, on the subject of amendments to the constitution.

The 6th and 7th amendments were agreed to without alteration.

In the 8th, on motion of Mr. Laurance, after the words "nor shall" these words were inserted, "in any criminal cases." The 9th was adopted without alteration. In the 10th, on motion of Benson, after the words "and effects," these words were inserted, "against unreasonable searches and seizures." 11th, 12th, 13th and 14th were agreed to in their original form. The committee then rose, and the house adjourned.

Tuesday, August 18.

The committee appointed to bring in a bill to regulate the post-office, brought in a resolve, which, with the preamble, was to the following effect, that as the shortness of the time, previous to the adjournment, would not admit of making the necessary arrangements, therefore resolved, that the post-master-general be directed to continue the post-office upon the system established by the late congress, and that he be authorized to make the necessary contracts, &c.

Mr. Gerry introduced a motion upon the subject of amendments, to this purport, that such amendments to the constitution of the united states, as have been proposed by the different states, which are not in the report of the select committee, be referred to a committee of the whole house; and that those, with the amendments proposed by that committee, be included in one report. This motion was introduced by a lengthy speech upon the subject of amendments at large, and was seconded by Mr. Sumpter; this brought on a warm de-

bate, which continued till near one o'clock; when the question being called for, from various parts of the house, the ayes and noes were required by Mr. Gerry. Upon which, Mr. Vining called for the previous question, and the ayes and noes were then required upon that also; this occasioned a further debate; at length the speaker directed the clerk to call the ayes and noes on—shall the main question be put?

Noes. Messrs. Ames, Baldwin, Benson, Boudinot, Brown, Cadwalader, Carroll, Clymer, Fitzsimons, Foster, Gilman, Goodhue, Hartley, Heister, Huntington, Laurence, Lee, Madison, Moore, P. Muhlenberg, Partridge, Schureman, Scott, Sedgwick, Seney, Sylvester, Sinnickson, Smith (S. C.) Smith (M.) Thatcher, Trumbull, Vining, Wadsworth, Wynkoop.—34.

Ayes. Messrs. Burke, Coles, Floyd, Gerry, Griffin, Grout, Hathorn, Livermore, Page, Parker, Van Rensselaer, Sherman, Stone, Sturgis, Sumpter, Tucker.—16.

The house then went into a committee of the whole on the report of the select committee.

The five remaining amendments were agreed to by the committee, with some little variation. They then rose, and the chairman reported their proceedings, which, it was ordered, should lie on the table for the consideration of the members.

A message was received from the senate by their secretary, informing the house that they had concurred, with one amendment, in the bill to provide for the necessary expenses attending negotiations and treating with the Indian tribes, &c.

The proposed amendment is, to strike out "forty," and insert "twenty," which would make the provision for the expenses twenty thousand instead of forty thousand dollars.

Mr. Tucker presented a number of papers, containing seventeen proposed amendments to the constitution; which were read and laid on the table.

The committee on the subject of the disputed election of the members from New Jersey brought in a report, containing a state of facts respecting said election, which was read, and then the house adjourned.

Wednesday, August 19.

Took up the bill to provide for the necessary expenses attending negotiations and treating with the Indian tribes, as sent from the senate yesterday, and concurred with their amendment. Adjourned.

Thursday, August 20.

The subject of amendments resumed.

Mr. Ames's proposition was taken up. Five or six other gentlemen brought in propositions on the same point; and the whole, by mutual consent, were laid on the table. The house then proceeded to the third amendment and agreed to the same.

The fourth amendment, on motion of Mr. Ames, was altered, so as to read, "Congress shall make no law establishing religion, or to prevent the free exercise thereof; or to infringe the rights of conscience." This was adopted.

The fifth amendment was agreed to.

Mr. Scott objected to the clause in the sixth amendment, "no person religiously scrupulous shall be compelled to bear arms." He said, if this becomes part of the constitution, we can neither call upon such persons for services nor an equivalent: it is attended with still further difficulties, for you can never depend upon your militia. This will lead to the violation of another article in the constitution, which secures to the people the right of keeping arms, as in this case you must have recourse to a standing army. I conceive it is a matter of legislative right altogether. I know there are many sects religiously scrupulous in this respect: I am not for abridging them of any indulgence by law; my design is to guard against those who are of no religion. It is said that religion is on the decline; if this is the case, it is an argument in my favour; for when the time comes that there is no religion, persons will more generally have recourse to those pretenses to get excused.

Mr. Boudinot said, that the provision in the clause, or something like it, appeared to be necessary. What dependence can be placed on men who are conscientious in this respect? or what justice can there be in compelling them to bear arms, when, if they

are honest men, they would rather die than use them. He then adverted to several instances of oppression in the case, which occurred during the war. In forming a militia, we ought to calculate for an effectual defence, and not compel characters of this description to bear arms. I wish that in establishing this government, we may be careful to let every person know, that we will not interfere with any person's particular religious profession. If we strike out this clause, we shall lead such persons to conclude, that we mean to compel them to bear arms.

Mr. Vining and Mr. Jackson spoke upon the question. The words "in person" were added after the word "arms," and the amendment was adopted.

The 7th, 8th, 9th, 10th, 11th, 12th, 13th and 14th amendments, without any material alterations were agreed to.

Adjourned.

Friday, August 21.

The order of the day, on amendments to the constitution, 15th amendment under consideration.

Mr. Gerry moved to strike out these words, "public danger," to insert "foreign invasion." This was negatived. It was then moved to strike out the last clause, "and if it be committed, &c." to the end. This motion obtained, and the amendment as it then stood was adopted.

16th and 17th amendments were accepted, without alterations.

18th amendment. In this Mr. Gerry proposed to insert the word "expressly" after the word "powers." This being objected to, the yeas and noes were called for on the question; and there appeared for the affirmative 17—for the negative 32—so the question was lost.

19th amendment. Mr. Sherman moved, that after the words "prohibited by it to the" "government of the united," and after the words "reserved to the" "individuals" should be inserted. This motion was acceded to, and the clause was then adopted.

The report of the committee being gone through, Mr. Burke introduced the following amendment, viz. "congress shall not alter, modify, or interfere in the times, places, or manner of electing senators or representatives of the united states, except when any

state shall refuse, or neglect, or be unable, from actual invasion or rebellion, to make such election." This brought on a debate, and the ayes and noes being called, there appeared for the affirmative 23—for the negative 28—majority against the proposition 5.

The consideration of the amendment, which was postponed yesterday, was then resumed.

A variety of propositions were read, and, on the questions being taken, were negatived.

The following, in substance, introduced by Mr. Smith (S. C.) was adopted, viz. After the first enumeration, there shall be one representative to every 30,000 inhabitants, till the number shall amount to 100; after which the proportion shall be so regulated by congress, that there shall be one to every 40,000, till the number amount to 200; after which the number shall not be increased at a less rate than one for every 50,000. Adjourned.

Saturday, August 22.

The house went into the consideration of amendments; Mr. Tucker moved to add an amendment recommended by the state of South Carolina, respecting direct taxes, stipulating that congress should first make requisitions on the states respectively, before they attempt to obtain revenue in that way.

Mr. Stone made a motion that this proposition should lie on the table; this was negatived. Mr. Partridge then moved the previous question; which was also negatived. On the main question to agree to the proposition, the yeas and nays were called by Mr. Livermore, who being supported by a constitutional number, they were taken, and were, ayes 9—noes 39.

So it was determined in the negative.

Mr. Tucker then presented another amendment from those recommended by the state of South Carolina, to strike out, in art. 3. sect. 1, "inferior court" and insert "court of admiralty". This was negatived.

Mr. Gerry proposed an amendment, that congress should never establish a company of merchants with exclusive privileges of commerce; this was negatived.

Mr. Gerry offered another proposition, to prohibit the officers of the

general government from accepting any title of nobility from any foreign king, prince, potentate, &c. which was negatived.

Monday, August 24.

Mr. Fitzhums, of the committee appointed to bring in a bill for establishing the salaries of the officers in the executive departments, brought in a report, which was read the first time.

The amendments of the senate to the treasury bill, respecting the removability of the secretary by the president, were considered; and, on motion of Mr. Vining, the house adhered to their disagreement against the amendment proposed by the senate.

On motion, the house resolved itself into a committee of the whole, on the bill for establishing the judicial courts of the united states.

Some small alteration in the language of the first clause was moved for, and agreed to.

Mr. Tucker moved to strike out the whole of the second clause, dividing the united states into thirteen districts.

Mr. Livermore moved to strike out the third clause, which establishes district judges and district courts; and supported his motion by arguments, tending to shew that such a regulation was expensive and unnecessary: they were expensive, by reason of the long suite of salary officers attending on such an establishment, the occasion for public buildings, such as court houses and jails, all of which must be erected; they were unnecessary, because justice could be (as indeed was the case at present) as well administered in the state courts as in the district courts; but if there was apprehensions of partiality in their decisions, it were to be remembered that the adjudications are subject to appeal and revision in the federal supreme court, which in his opinion afforded sufficient security.

He moreover said the establishment was invidious, and tending to blow the coals of civil war; two jarring jurisdictions, a subversion of the old system of jurisprudence, could never be agreeable to the people of America, who did not view courts of justice, and the officers connected with them, in the most favourable light. What would they think of such heterogeneous establishments? He begged gentlemen to consider this point tho-

roughly before they made a decision, for much depended thereon.

The committee rose without coming to any further resolution.

Then the house adjourned.

Tuesday, August 25.

The house resolved itself into a committee on the bill to provide for the safe keeping of the acts, records and seal of the united states, for the publication of the acts of congress, for the authentication of records, the custody of the seal, &c.

Several amendments were made, and the committee rose without going through the bill.

Wednesday, August 26.

The house went into a committee on the bill for annexing to the duties of the secretary of foreign affairs, (under the title of secretary of state) the keeping of the seals, taking care of the archives, &c. and after some time spent in the business, the committee went through and reported the bill with amendments, which were agreed to by the house, and the bill was ordered to be engrossed.

The bill for regulating the coasting trade, came down from the senate with amendments—they proceeded to consider the same, but not having time to go through them, adjourned until to-morrow.

Tuesday, August 27.

The amendments of the senate to the coasting bill were then taken into consideration—and agreed to with some small variations. The senate have reduced the fees in this bill: among others—for

Every register from	3 to 2 dollars.
Subsequent ditto	2 to 1 & 50 cents.
Certificate of enrollment,	1 dol. to 50 cents.
License to trade	} 1 dol. to 50 cents.
or carry on the	
whale or bank	
fisheries for one	
year,	} 10 cents.
Every bond for license to trade,	

Mr. Gerry presented a supplementary report to the estimate of the necessary supplies for the year 1789—read and referred to the committee of ways and means.

Mr. Smith (S. C.) of the committee appointed for the purpose, brought

in a bill providing for the establishing hospitals for disabled seamen, and for the regulation of harbours—which was read the first time.

Mr. Scott, agreeably to notice, moved a resolution to the following effect: That a place ought to be fixed for the permanent residence of the general government, as near the centre of population, wealth, and extent of country, as is consistent with the convenience of the Atlantic navigation, having also a due regard to the western territory. He then moved to make this motion the order of the day for Thursday next.

This motion, which gave rise to a long debate, was at length agreed to.

Friday, August 28.

Mr. Fitzsimons presented a memorial from the public creditors of the state of Pennsylvania, which was read and laid on the table.

Mr. Trumbull presented a memorial from the commanders of the packers, which ply between New York, and Newport and Providence in Rhode-Island, respecting the hardships which they suffer by reason of that state's being considered out of the union.

A letter from the governor of South-Carolina, addressed to the speaker, inclosing an account of the exports of that state from December, 1787, to December, 1788, was read.

The report of the committee on the memorials from the merchants of George-town and Alexandria, was taken up, and accepted, and the same committee ordered to bring in a bill for the relief the memorialists.

The house resolved itself into a committee on the bill for establishing the salaries of the officers of government.

Mr. Boudinot in the chair.

To the secretary of the treasury, it was proposed by the bill to allow 5000 dollars per annum.

This sum was reduced, after some debate, to 3500.

To the secretary for foreign affairs (now called secretary for the department of state) it proposed an allowance of 3500 dollars—This was reduced to 3000.

To the comptroller of the treasury, it proposed to allow 3000—this was reduced to 2000.

To the auditor, it proposed to allow 1500 dollars, to the treasurer, 1600, and to the register 1250—these sums were agreed to.

To the assistant of the secretary of the treasury, it proposed an allowance of 1600 dollars—this was reduced to 1500.

To the governor of the western territory, it proposed an allowance of 1000 dollars, with an additional allowance as superintendant of Indian affairs.

This was altered; the allowance as superintendant of Indian affairs was struck out, and the salary as governor raised to 2500 dollars.

A clause was added, providing for the salaries of the three judges of the western territory, allowing to each of them 800 dollars per annum.

To the secretary of the governor of the western territory, the salary was fixed at 750 dollars.

The remainder of the bill was gone through without any material amendment, when the committee rose and reported.

The report was accepted, and the bill ordered to be engrossed for a third reading. Adjourned.

Saturday, August 29.

THE bill for regulating the coasting trade was received from the senate, with the concurrence of that body in the amendments proposed by the house, to the amendments of the senate.

The engrossed bill for establishing the salaries of the executive officers, was read a third time, when Mr. Smith (S. C.) moved to recommit it, in order to supply some deficiencies. He observed, that a number of officers were not provided for, such as the foreign ministers, consuls, &c.

It was, however, thought improper to annex salaries to offices which the legislature had not expressly created or recognised; and the motion was negatived.

The question was then put on passing the bill, and the yeas and nays being called, it passed in the affirmative—Ayes 27—Noes 16.

The house then resolved itself into a committee of the whole on the judiciary bill.

Mr. Tucker's motion for striking out that section which provides for the

establishment of district judges in each state, was taken into consideration. This brought on a warm debate. The motion was advocated by Mr. Livermore, Mr. Jackson, Mr. Burke, Mr. Stone; and opposed by Mr. Smith (S. C.) Mr. Benton, Mr. Sedgwick, Mr. Ames and Mr. Sherman. The committee rose at four o'clock without deciding the question, and the house adjourned.

The importance of the debate on this subject, and the impossibility of publishing the whole in the present number, induces us to defer it till the next.

Monday, August 31.

THE engrossed bill for suspending so much of the collection law, as obliged vessels bound to Georgetown and Alexandria, on Patowmac, to enter at Yeocomico and St. Mary's, was read a third time, and on motion of Mr. Bland, was recommitted, in order to receive a clause to remedy the same grievance, complained of by the inhabitants of Petersburg and Richmond, on James river.

Mr. Bland was added to the committee, and a motion of Mr. Thatcher, respecting a similar inconvenience suffered by the inhabitants of the river Kennebeck, was referred to them.

The petition of the masters of packet boats and others, trading between Newport and Providence and New York, presented by Mr. Trumbull, was referred to the same committee.

The petition of Hugh Williamson, in behalf of the merchants and citizens of North Carolina, complaining of the operation of the tonnage law on that state, by subjecting it to the duties imposed on the vessels of foreigners, was read, and referred to the committee on the petition from Alexandria.

The house went into a committee on the judiciary bill. Mr. Livermore renewed the debate on the clause for instituting the district courts, by a general reply to the arguments of Mr. Smith, and others, on Saturday.

The discussion was continued in an animated manner by Messrs. Stone, Jackson, Sumpter and Burke, for striking out the clause, and by Messrs. Vining, Gerry and Lawrence, against it.

LG

The question being at length put on the motion for striking out, was negatived by 23 against 11.

Tuesday, Sept. 1.

A message came from the senate, with a bill providing for the punishment of certain crimes; also the bill for allowing certain compensations to the members of the house and senate, and their respective officers; in which the senate had concurred with amendments.

Wednesday, September 2.

A petition from the citizens of Philadelphia, respecting the permanent and temporary residence of congress, was read.

The committee to whom was re-committed the bill to relieve the inhabitants of Georgetown and Alexandria on the Patowmack, reported that they had not thought proper to recommend any alteration in it.

The petition of the creditors of

the united states, residing in the city of Philadelphia, was referred to the committee of ways and means.

Mr. Vining then brought forward a motion, respecting the validity of the Jersey election, viz. "Resolved, that James Schureman, Lambert Cadwallader, Elias Boudinot, and Thomas Sinnickson, were duly elected and properly returned members of this house."

The question being taken on mr. Vining's motion, was carried in the affirmative.

A message was received from the president of the united states, informing the house that he had approved and signed the bill for regulating the coasting trade, and the treasury bill.

The house then took up the amendments of the senate to the bill for establishing the compensation of the members of congress. Adjourned.

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THE approbation and support the American Museum has hitherto met with, demand the Printer's most sincere acknowledgments: the projected improvement of the plan is in order to meet the ideas and wishes of those, who, besides public documents, political speculations, &c. desire to have a part of the work devoted to amusement and entertainment. Still, however, there will always be an ample portion of it appropriated to those compositions calculated for the perusal of the politician—the historian—the philosopher.

As a number of literary characters, who have seen the outlines of the plan, have given it their warmest approbation, and promised their correspondence, the printer flatters himself his subscribers and the public in general will favorably regard this improvement—the result of an earnest desire to give general satisfaction.

